

nearly synonymous with the word "motion," and is the next step which the Senate would, in the ordinary course of the passage of a bill, be required to take in the absence of any one of the motions authorized under Rule XXII being made.

The contention has been made that a motion to proceed to the consideration of a bill, while another bill is before the Senate as unfinished business, is permissible under Rule IX, which provides, in part, that—

"Immediately after the consideration of cases not objected to upon the calendar is completed, and not later than 2 o'clock, \* \* \* the Calendar of General Orders shall be taken up and proceeded with."

And certain motions are enumerated therein as privileged motions, one of which is a motion to proceed to the consideration of any other bill on the calendar.

The words "not later than 2 o'clock," in the opinion of the Chair, confine or limit the time within which this rule is operative to the period prior to 2 o'clock, and therefore it can not be invoked after that hour; in which view the Chair is supported by several precedents, although there has been a decision or two to the contrary. Rule VIII expressly provides that after the morning business has been concluded the calendar of bills and resolutions is in order, and their consideration may be continued until 2 o'clock. The Chair thinks that the privileged motions named in Rule IX are in order only when the Calendar of General Orders is taken up, and if this rule were not operative until 2 o'clock it would be the duty of the Senate at that hour to take up this Calendar of General Orders, thus conflicting with the consideration of the unfinished business, which, under the invariable practice, has been laid before the Senate upon the expiration of the morning hour. Moreover, the motions referred to in Rule IX must, under the last paragraph of the rule, be decided without debate, and this provision does not go along with the last paragraph of Rule VIII, which provides that all motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate, which, by necessary implication, permits debate on motions to take up a matter after that hour.

For the reasons above stated, the Chair thinks that neither Rule XXII nor Rule IX is applicable in its provisions to the present situation, and has been unable to find any provision in the rules bearing directly upon the point raised. It is to be remembered that the rules of a parliamentary body are adopted in order to simplify and expedite business; that in parliamentary bodies, while not outlined in the rules, certain customs obtain involving the same purpose, the long observance of which has given them the practical effect and standing of unwritten rules. Whenever points of order, if sustained, will override these well-established customs, and involve a radical change in the method of transacting business, the first presumption is that the custom is consistent with the rules.

The Chair, therefore, feels constrained to follow a practically unbroken line of precedents holding that a motion to proceed to the consideration of a bill is in order while another bill is pending before the Senate as unfinished business, and therefore overrules the point of order.

Mr. REED of Missouri. Mr. President, it has been suggested to me that this matter may be simplified and not interfere with the Boulder dam bill if I withdraw my motion and move that Senate Resolution 364 be made the special order for Tuesday morning next.

Mr. WADSWORTH. At what time?

Mr. REED of Missouri. At the convening of the Senate.

Mr. ROBINSON of Arkansas. At the conclusion of the routine morning business.

Mr. REED of Missouri. In view of the suggestion, and in order to test the sense of the Senate, I move that at the conclusion of the routine morning business on Tuesday next, Senate Resolution 364 shall be made the special order, and that the Senate shall proceed to consider the same.

The VICE PRESIDENT. The Senator is aware that that requires a two-thirds vote?

Mr. REED of Missouri. I am, and I am making the motion now in order that I may not displace the Boulder dam bill, unless it shall become necessary. If this motion is not agreed to, I shall then make a motion to proceed now.

The VICE PRESIDENT. The question is upon the motion of the Senator from Missouri that Senate Resolution 364 be taken up immediately after the termination of the routine morning business on Tuesday morning next as a special order. [Putting the question.] Two-thirds of the Senators having voted in the affirmative, the motion is agreed to, and Senate Resolution 364 is made the special order for Tuesday morning next at the conclusion of the routine morning business.

#### ADJOURNMENT

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and the Senate (at 6 o'clock and 50 minutes p. m.) adjourned until to-morrow, Saturday, February 26, 1927, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES

FRIDAY, February 25, 1927

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

"Our Father." This is the name of God which has been given to mankind only through the only begotten Son of the Father. As Thy children, do Thou incline our hearts toward Thee. May we yield ourselves to the instruction, influence, and inspiration of the Galilean Teacher. Let us linger this brief moment in meditation on His marvelous precepts. We praise Thee for the revelation so sufficient, so satisfying. In Him are blended all the rich emotions that ever pulsed in the human breast. In Him are depths of feeling which no other heart can fathom and heights of aspiration to which no other soul can soar. May we hear His voice and follow Him. Thus the eternal day shall begin, where there will be no to-morrow—the timeless peace of God. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed with amendments House bill of the following title, in which the concurrence of the House is requested:

H. R. 16950. An act granting the consent of Congress to the department of highways and public works of the State of Tennessee to construct, maintain, and operate a bridge across the Clinch River in Hancock County, Tenn.

The message also announced that the Senate had passed Senate bills of the following titles, in which the concurrence of the House is requested:

S. 4558. An act to provide a method for compensating persons who suffered property damage or personal injury due to the explosions at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926;

S. 5249. An act to authorize the Secretary of the Navy to develop an ammunition depot at Hawthorne, Nev., and for other purposes;

S. 5727. An act to authorize and direct the Secretary of War to accept an act of sale and a dedication of certain property in the city of New Orleans, La., from the board of commissioners of the port of New Orleans, and for other purposes; and

S. 5791. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at the city of Mount Carmel, Ill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16462) entitled "An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1927, and prior fiscal years, and to provide urgent supplemental appropriations for the fiscal year ending June 30, 1927, and for other purposes."

#### THE FIRST FLIGHT TO THE NORTH POLE AND THE FIRST CROSSING OF THE POLAR SEA

Mr. WOODRUFF. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record to-day, particularly for the reason that Commander Byrd and Warrant Machinist Floyd Bennett are to-day receiving the congressional medal at the hands of the President in commemoration of their flight over the North Pole. I ask permission to include as a part of my remarks a report made upon this great feat by certain scientists and thinkers of the country.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the Record and to incorporate therein proceedings relating to the presentation of the congressional medal to Commander Byrd and Warrant Machinist Floyd Bennett. Is there objection?

There was no objection.

Mr. WOODRUFF. Mr. Speaker, to-day the President of the United States is conferring the congressional medals on Commander Richard E. Byrd and Warrant Machinist Floyd Bennett, the heroes of the first flight to the North Pole. The medals were awarded by the act of Congress of January 5, 1927. The citation of Commander Byrd reads:

For distinguishing himself conspicuously by courage and intrepidity at the risk of his life in demonstrating that it is possible for aircraft to travel in continuous flight from a now inhabited portion of the earth over the North Pole and return.

Floyd Bennett was awarded the medal of honor, with the citation:

For his gallant service to the Nation as a member of the Byrd Arctic expedition.

The first flight to the North Pole and the first crossing of the Polar Sea, from the Atlantic Ocean to the Pacific Ocean, via North Pole, are major achievements that will live in history through the ages, ranking with the historic accomplishments of Marco Polo, Columbus, da Gama, Vespucci, Magellan, Ross, Sir John Franklin, Peary, and Amundsen's discovery of the South Pole.

They represent a new epoch in the triumph of man's indomitable spirit over the forbidding elements.

It is important that we make as full a record as possible of these accomplishments, so that the future historians may have the full facts before them.

Realizing that these accomplishments comprise a number of pioneer achievements that should be recorded in the annals of our generation, a committee of scientists and leaders of thought has made scientific study of the achievements of the Byrd Arctic expedition and the Amundsen-Ellsworth-Nobile expedition with a view of determining and summarizing the substance of the reports, findings, and opinions regarding the North Pole and transpolar flights made and expressed by the explorers themselves and by the National Geographic Society, the American Geographic Society, the Aerial League of America, the International Science Forum, the United States Navy Hydrographic Service, the United States Coast and Geodetic Survey, the Navy Department, the War Department, officials of the Explorers Club, the Advertising Clubs of the World, and the New York Stock Exchange, American Museum of Natural History, New York Zoological Society, the American Society of Port Authorities, Radio Manufacturers Association, and other national institutions, and the President of the United States, the members of the Cabinet, the Congress of the United States, the governors of the various States, the mayors of the various cities, and committees appointed by them, 3,000 representative people whose opinion was asked by the Aerial League of America and the International Science Forum, 2,500 editorials from American and foreign newspapers and publications.

The comprehensive report, which defines the great accomplishments which led to the award of the congressional medal, follows:

#### ACCOMPLISHMENTS AND SIGNIFICANCE OF THE BYRD ARCTIC EXPEDITION AND THE AMUNDSEN-ELLSWORTH-NOBILE EXPEDITION

##### I. NATURE AND PURPOSE OF THIS REPORT AND FINDINGS

1. In the first flight to the North Pole made by Commander Richard E. Byrd, United States Navy, and Aviation Pilot Floyd Bennett, United States Navy, and the first crossing of the Polar Sea made by the Amundsen-Ellsworth-Nobile expedition are comprised a number of accomplishments that will distinguish this age from other ages in history and achievements of great geographic, economic, aeronautic, and scientific value and significance.

2. This report aims to define all such achievements and to consolidate, interpret, and summarize the substance of the reports, findings, and opinions regarding the North Pole and transpolar flights made and expressed by the explorers themselves, the President of the United States, the members of the Cabinet, the Congress of the United States, and by the following American institutions: The National Geographic Society, the American Geographic Society, the Aerial League of America, the International Science Forum, the United States Navy Hydrographic Service, the United States Coast and Geodetic Survey, the Navy Department, the War Department, officials of the Explorers' Club, the advertising clubs of the world, and the New York Stock Exchange, American Museum of Natural History, New York Zoological Society, the American Society of Port Authorities, Radio Manufacturers' Association, and other national institutions, and the governors of the various States, the mayors of the various cities and committees appointed by them, 3,000 representative people whose opinion was asked by the Aerial League of America, and the International Science Forum; 2,500 editorials from American and foreign newspapers and publications; and the Royal Geographical Society of Great Britain, the Poetry Society of Great Britain; the King of Italy, Premier Benito Mussolini, the Italian Parliament, the Royal Italian Geographic Society; the Aero Club of Italy; the King of Norway, Norwegian Parliament, Geographic Society of Norway, Norwegian Aero Club, and Meteorologic Institute of Oslo.

##### II. SUMMARY OF FACTS REGARDING FLIGHT TO NORTH POLE AND NORTH PASSAGE

3. The Byrd Arctic Expedition: On March 8, 1926, Commander Richard Evelyn Byrd, for the United States Navy, signed for the ship *Chantier*, and on April 5 the Byrd Arctic Expedition left New York for Kings Bay, where they arrived April 29.

On May 9, 1926, Commander Byrd and aviation pilot, Floyd Bennett, United States Navy, took the air on the three-motored Fokker mono-

plane from Kings Bay, Spitzbergen, at 00 hour, 37 minutes, Greenwich civil time, and headed northward with the North Pole as their objective. Following the eleventh meridian of east longitude, they reached the Pole at 9.03 a. m., circled the Pole twice, then turned back by way of the fifteenth meridian, landing at the starting point 15 hours and 57 minutes from the time of start.

4. The Amundsen-Ellsworth-Nobile Transpolar Expedition: The Amundsen-Ellsworth-Nobile transpolar flight of 1926 was a continuation of the 1925 Arctic exploration plans of Capt. Roald Amundsen and Lincoln Ellsworth, which resulted in the flight to 88° north (see account of the Amundsen-Ellsworth flight of 1925) and was officially sponsored by the Aero Club of Norway. They bought from the Italian Government the semirigid airship, designed and built by Col. Umberto Nobile, the ship being 347 feet over all in length (about half the size of the *Sherandoah*) with a gas capacity of 640,000 cubic feet and equipped with three 250-horsepower Maybach dirigible engines, capable of making 62 miles an hour.

The airship was christened at Rome on March 29, 1926, and named *Norge*. The airship navigated from Rome, Italy, to Kings Bay, Spitzbergen, under its own power, flying over nine countries and five seas, a total of 103 hours of air cruising, covering approximately 5,000 miles, arriving at Kings Bay May 7, 1926.

5. At 8.55 a. m., Greenwich civil time, on Tuesday, May 11, 1926, the *Norge* left Kings Bay, Spitzbergen, carrying 16 people on board, as follows: Capt. Roald Amundsen (Norwegian) and Lincoln Ellsworth (American), leaders of the expedition; Col. Umberto Nobile (Italian), commander of the airship; Lieut. P. Hjalmar Riiser-Larsen (Norwegian) navigator; Lieut. Emil Horgun (Norwegian), assistant navigator, in charge of lateral controls; Capt. Birger Lund Gottwaldt (Norwegian), radio officer; Capt. Oscar Wisting (Norwegian), helmsman, in charge of vertical controls; Lieut. Oscar Omdal (Norwegian), engineer; Fenn Malmgren (Swede), meteorologist; Frithjof Storm Johnsen (Norwegian), second radio officer; Frederik Ramm (Norwegian), correspondent of the New York Times and reserve helmsman; and the following Italian aids to Colonel Nobile, constituting the engineering staff and mechanics of the *Norge*: Maj. Natale Cecioni, Lieut. Ettore Arduino, Sergts. Renato Alessandrini, Attile Caratti, and Vincenzo Pomella.

6. Navigating close on the eleventh meridian of east longitude and guiding her way by radio and magnetic-compass direction and solar observations, the *Norge* reached the North Pole at 11.30 a. m. Wednesday, May 12. The airship was slowed down; Amundsen, Ellsworth, and Nobile dropped their countries' flags. The airship circled the pole area; then it proceeded southward in the direction of Point Barrow, close on the one hundred and sixtieth meridian west longitude. At 6.30 a. m. the airship reached 83° 50' north latitude, 160° west longitude, the location of the ice pole, or "pole of inaccessibility," and continued on, following the one hundred and sixtieth meridian until the 80° north latitude was reached; then the course was changed to follow more westerly the one hundred and fifty-sixth meridian of longitude west of Greenwich, on which Point Barrow is located. Point Barrow was sighted at 6.50 p. m. (G. M. T.) on May 13, 46 hours 45 minutes after leaving Kings Bay.

7. Then they followed the Alaska coast line and after several deviations from their course, due to dense fog, the *Norge* landed at the village of Teller, Alaska, at about 8 a. m. Greenwich time, May 14, after having been in the air 71 hours, the journey across the Polar Sea successfully completed, without accident, or loss of life or property, having made the north passage and bisected the 1,000,000 miles of unknown Arctic region by a trail of approximately 100 miles in width.

##### Amundsen-Ellsworth 1925 pathfinding expedition

8. Amundsen-Ellsworth 1925 polar flight expedition, consisting of the two Dornier-Wal flying boats, one the *N-25*, carrying Captain Amundsen, commander, Hjalmar Riiser-Larsen, pilot, and Feucht, mechanic; the other, the *N-24*, carrying Lincoln Ellsworth, commander, Leif Dietrichson, pilot, and Oskar Omdal, mechanic, started from Kings Bay, Spitzbergen, at 5 p. m. May 21, 1925, and flew northward and landed at latitude 87° 44' north, longitude 10° 20' west, or 136 miles from the North Pole. From the height of the seaplane, prior to the landing they saw ahead as far as latitude 88° 30' north, or within 90 miles of the North Pole.

This was the most northerly point reached on the Eastern Hemisphere since 1596, when William Barents reached 79° 49' north latitude.

During the 25 days while the expedition prepared for the return flight they took two soundings and determined that the depth of the Polar Sea was 12,375 feet.

The *N-25* was abandoned and the six members flew back to Spitzbergen on June 15 on the *N-24*.

This flight was the pathfinder for the 1926 Byrd Arctic expedition and the Amundsen-Ellsworth-Nobile expedition and contributed to the success of both.

##### III. HISTORIC ACHIEVEMENTS AND SIGNIFICANCE

9. The first flight to the North Pole and the first crossing of the Polar Sea from the Atlantic Ocean to the Pacific Ocean via North Pole are major achievements that will live in history through the ages, ranking with the historic accomplishments of Marco Polo, Columbus,



Da Gama, Vespucci, Magellan, Ross, Sir John Franklin, Peary, and Amundsen's discovery of the South Pole.

10. They represent a new epoch in the triumph of man's indomitable spirit over the forbidding elements.

Theodore Roosevelt said of Peary that by his discovery of the North Pole "Peary has made all dwellers in the civilized world his debtors."

The same may be said of Amundsen, Ellsworth, Nobile, Byrd, and Bennett.

#### IV. NORTH PASSAGE ACCOMPLISHED

11. The crossing of the Polar Sea by the *Norge* has opened the north passage from the Atlantic Ocean to the Pacific Ocean, and is a geographic achievement equal to Columbus's achievement.

12. The ultimate significance of the achievement may best be expressed by paraphrasing two masterly sentences of Admiral Peary to read as follows:

"In the accomplishing of the north passage by the *Norge* is written the final chapter of the last of the great geographical stories of the Western Hemisphere, which began with the discovery of the New World by Columbus.

"Here is the cap and climax, the finish, the closing of the book of 400 years of history to find a north passage from the Atlantic to the Pacific Ocean."

#### Events leading to the achievements

13. Amundsen and Ellsworth in 1925 and Byrd and Bennett in 1926 opened the way for accomplishing the north passage, and the *Norge* accomplished it on May 11-13, 1926, achieving what hundreds of expeditions had attempted but failed to accomplish.

14. Amundsen and Ellsworth in 1925 and Byrd and Bennett in 1926 accomplished more in advancing northward on the Eastern Hemisphere than William Barents, Henry Hudson, Phipps, Scoresby the elder, Sir William Edward Parry, Baron Nordenskjöld and Otter, J. Payer, Fridtjof Nansen, Frederick George Jackson, Prince Luigi Amedeo, Captain Cagni, Duke of Abruzzi's expedition, and the Ziegler Polar expedition.

The two soundings taken at latitude 87° 41' north, longitude 10° 20' west, by Amundsen and Ellsworth in 1926, at which they determined that the depth of the Polar Sea there was 12,375 feet, constitute an accomplishment that had eluded their gallant predecessors.

15. The progress made in seeking a north passage from the Atlantic to the Orient has always been considered a distinct historic achievement. Since 1827, when the Parry expedition ventured upon the Polar ice to go northward on the Eastern Hemisphere, only to be carried back by the ice pack faster than they could advance, hundreds have sought to advance northward.

Slowly and arduously they advanced over the pathless Polar Sea, pushing back the curtain of unknown. But the elements always won out. The veil of mystery remained hung over the path of the coveted north passage.

16. It is a historic fact, fully recorded in history, that the efforts to find a passage from the Atlantic across the North Pole to the Pacific began in 1527, when King Henry VIII of England sent the John Davis expedition to the Arctic for that purpose, and that, as set forth by Peary in his book, *The North Pole* (Frederick A. Stokes, 1910), in the intervening centuries "Scores of hardy navigators, British, French, Dutch, German, Scandinavian, and Russian, followed Davis, all seeking to hew across the pole the much-coveted short route to China and the Indies."

17. For having succeeded in crossing halfway between Greenland and Bering Sea, Commodore W. E. Parry was awarded the prize of \$25,000 offered by English Parliament to the first navigator to pass the one hundred and tenth meridian west of Greenwich.

#### The northwest passage and the northeast passage

18. The north passage always eluded the endeavors of the intrepid explorers and the northeast passage and the northwest passage were sought as secondary alternatives.

19. In the spring of 1845 the British Government sent the Sir John Franklin expedition on a maritime expedition for the discovery of the northwest passage. This great expedition was lost, and many of the expeditions, approximately four in number, which were sent to find and relieve the Franklin expedition met with disaster.

20. Amundsen in his estimate of the achievements of the Sir John Franklin expedition in *The South Pole* (Lee Keedick, 1913) states:

"Franklin and all his men laid down their lives in the fight for the northwest passage. Let us raise a monument to them more enduring than stone, the recognition that they were the first discoverers of the passage."

21. Willingham Franklin Rawnsley, in his book *The Life, Diaries, and Correspondence of Jane Lady Franklin* (Erskine MacDonald, 1923), quotes a letter from the American Henry Grinnell dated October 12, 1859, reading in part as follows:

"I suppose now there can be no question as to your husband's expedition being the first to ascertain the water communication with the Atlantic and Pacific north of the American Continent, or otherwise the northwest passage."

22. Captain Amundsen made the northwest passage with the schooner *Gjoa* in 1903-1906 and the northeast passage with the schooner *Maud* in 1918-1920. In each case he entered at the Atlantic side and successfully navigated to the Pacific side.

23. The north passage remained to be made, and there still remained to be solved the problem of finding a quicker way of reaching the Pacific Ocean from the Atlantic Ocean. This problem was solved by the *Norge's* success in making the north passage on May 11-13, 1926, in 71 hours, carrying a load of 16 passengers.

#### V. MAJOR GEOGRAPHIC ACHIEVEMENTS

24. In the successful crossing by the airship *Norge* of the Polar Sea from the Atlantic to the Pacific via North Pole, the Amundsen-Ellsworth-Nobile expedition won the distinction for numerous major geographic achievements.

25. They discovered and accomplished the north passage from the Atlantic to the Pacific that had been sought in vain by hundreds of navigators since Christopher Columbus himself discovered the American Continent while engaged in finding a geographic short cut to China and India by a westward route.

26. They established as a fact the connection between the Atlantic and Pacific Oceans, which heretofore was only a deduction, by ascertaining that there is no land barrier between the Atlantic and the Pacific.

This is a geographic achievement equal to Ferdinand Magellan's discovery of the connection between the Atlantic and the Pacific in the strait that bears his name.

27. They determined for the first time in history the configuration of the Polar Sea over an enormous strip of 2,000 miles by from 100 to 150 miles from the North Atlantic to the North Pacific via North Pole.

#### Peary's findings as to North Pole confirmed

28. Byrd and Bennett and the Amundsen-Ellsworth-Nobile expedition confirmed Peary's findings as to the North Pole being located on an ocean covered with ice and determined by survey of a wider area of the polar regions that there is no continent at the North Pole.

29. By circling around the North Pole at heights of from 1,000 to 3,000 feet the two expeditions saw for the first time the approaches to the North Pole from all directions of the compass over an area of from 120 to 150 miles and confirmed Peary's conclusions that the entire polar area is an immense desert of ice broken only by temporary leads of open water.

30. At 7 p. m. May 12, 1926, the Amundsen-Ellsworth-Nobile expedition, flying on the airship *Norge*, reached 83° 50' north latitude, 160° west longitude, and saw for the first time in history of mankind the center of the polar ice pack, thereby discovering the ice pole, or the pole of inaccessibility, and determined by aerial survey extending over 100 miles in all directions that no land exists in that area and that the ice pole is, like the geographic North Pole, a huge desert of ice broken only by temporary leads of open water.

31. The Amundsen-Ellsworth-Nobile expedition was first to cross the ice pole and to cross the 1,000,000 square miles of hitherto unexplored Arctic area extending from the North Pole to the line of explored area north of Alaska on the west and north of Wrangell Island on the east.

32. The Byrd expedition and the Amundsen-Ellsworth-Nobile expedition determined for the first time, by visual survey, that no great body of land exists within the area 2,200 miles long by 100 to 120 miles wide, extending from Spitzbergen, across the North Pole, to Alaska.

33. They surveyed approximately 300,000 square miles or a greater polar area in six days than had been covered by all the polar expeditions since the beginning of polar exploration.

34. The 16 members of the expedition carried by the *Norge* constitute a new record for number of people to reach the North Pole in one expedition, the Peary expedition and the Byrd expedition having consisted of two, respectively.

#### VI. NAVIGATIONAL ACHIEVEMENTS

##### Following meridians as airways

35. Navigating on meridians is the ideal in scientific perfection that has never been attained on land or water navigation.

36. On the way to the North Pole Byrd's monoplane navigated on the eleventh meridian east longitude. On the return flight it navigated on the fifteenth meridian.

37. The *Norge* navigated closely on the eleventh meridian as far as the North Pole, then followed the one hundred and sixtieth meridian west longitude to the ice pole, then changed to the one hundred and fifty-sixth meridian, which it followed to Point Barrow.

38. The *Norge's* straight flight was the longest journey ever made by any means of locomotion entirely on meridians. No other means of locomotion outside of aircraft permit travel on meridians for any distance, the path being usually obstructed by some obstacle.

39. They established a series of world record for all types of vessels in straight-line navigation.

40. Commander Byrd credits the greater part of his success in navigating to the sun compass invented by Dr. Albert H. Bumstead, chief cartographer of the National Geographic Society. He did not use radio directions.

41. The Amundsen-Ellsworth-Nobile expedition navigated the airship *Norge* on the north passage by means of radio directions, magnetic-compass directions, and solar observations, combined in an original method of marvelous simplicity, which solved problems of navigation heretofore considered insolvable.

42. Between 89 north and 80 north the magnetic deviation changes 90°, or from 7° to 10° every hour, and to meet these changes while traveling at a speed of over 50 miles an hour over unknown regions in freezing conditions is a navigational achievement of first order.

43. The navigational observations of the two expeditions represent the first data made available to science regarding navigation over the polar sea, no vessel having ever succeeded in navigating there on account of the ice obstructing all navigation.

#### VII. ASTRONOMIC OBSERVATIONS AND REDUCTIONS

44. On account of both flights having been made during the period of arctic daylight the astronomic observations were confined to observations of the sun.

45. To Commander Byrd goes the distinction of having taken the first sun observations at the North Pole from an aircraft.

46. To the Amundsen-Ellsworth-Nobile expedition goes the distinction of having taken the first astronomic observations across the entire area comprised within the Arctic Circle.

47. The observations taken during the 71 hours of flight of the *Norge* along the three meridians represent a distinctly valuable body of astronomic information and mark a new epoch in the history of navigation.

#### VIII. MAGNETIC OBSERVATIONS AND REDUCTIONS

48. The Amundsen-Ellsworth-Nobile expedition secured the first data ever obtained regarding the vertical magnetic intensity and general magnetic constants and declination over the top of the earth.

49. It was also first to test magnetic constants in the area between the magnetic North Pole and the geographic North Pole at right angles.

50. The achievement of the Amundsen-Ellsworth-Nobile expedition in being first to determine the vertical magnetic conditions of the polar area deserves a measure of credit at least as great as the measure granted to the achievement of French Admiral d'Urville and British Admiral Sir James Clark Ross for being first to investigate magnetic conditions in the vicinity of the south magnetic pole in 1840.

#### IX. METEOROLOGIC ACHIEVEMENTS

51. The meteorologic data collected by the two expeditions, direct and through meteorologic and other institutions aiding the expeditions, constitute the only body of basic meteorologic data covering the entire polar basin ever secured.

52. The records of air currents encountered by Byrd and Bennett and by the *Norge* give the first definite knowledge of the movements of the atmosphere over the top of the earth, and, having been recorded at heights above the influence of local ice-pressure ridges and other purely local conditions, the data are sufficiently general in character to permit deductions of basic importance.

53. The double flight along the same course within a few hours, from Spitzbergen to the North Pole and back, permitted meteorologic observations of great scientific value. The increase and changes of direction of winds noted by Byrd in the return flight from the pole and the increased movements of the atmosphere noted two days later by the Amundsen-Ellsworth-Nobile expedition establish precise data on which to base studies of causes and effects leading to such changes.

54. The first data regarding the effect of polar-ice conditions on the atmosphere, and vice versa, was secured. It was a fortunate happening for science that the Byrd airplane and the *Norge* followed each other within a few days in flights to the North Pole, each taking photographs of the ice conditions and records of the atmospheric conditions, from which may be deducted the extent of movements of ice and of the atmosphere that took place in the two days, from which may be made deductions regarding the effect of the ice movements on the atmosphere, and vice versa.

55. The record of the drift of the *Norge* at different elevations, due to air currents, while navigating on the various meridians, is the first data and a valuable contribution to supply a foundation for the study of the motion and direction of the prevailing polar-wind currents at different times of the day and at different elevations.

56. The presence of fog at elevations of from 600 to 3,000 feet before and after reaching the North Pole indicated the existence of undefined phenomena of which the fog is an effect. Students of meteorology have been supplied with definite data for the study of this phenomena, with a view of determining the origin and causes and effects.

57. The necessity of the *Norge* going above the clouds, over 4,000 feet, to obtain visibility, resulted in obtaining the first data about cloud formation and the character, depth, and density of the clouds over the polar basin.

#### X. CLIMATOLOGIC DATA AND REDUCTION

58. The meteorologic reports of the *Norge* abound especially in data regarding hygrometric conditions of the polar atmosphere, the humidity having been the cause of considerable inconvenience during the last

fourth of the journey. This is the first data secured of the hygrometric conditions of the polar upper air and supplies definite information for the study of the cause of the humidity and its effect on climatic conditions of Alaska and Siberia.

59. The Amundsen-Ellsworth-Nobile expedition secured a complete body of data regarding climatological conditions over the entire Polar Basin. The speed of the *Norge* was sufficiently fast to give a reliable table of climatic conditions prevailing in the area extending from Spitzbergen to Alaska during the 71 hours, the table showing the gradual decrease of temperature when advancing northward, at the North Pole, at the Ice Pole, then southward to Teller, Alaska, where the *Norge* landed, and a mean temperature for the entire trip of 10° centigrade.

#### XI. DATA REGARDING POLAR GLACIOLOGY

60. For the first time the great polar ice pack was traversed from the Atlantic side to the Pacific side and a continuous survey made of its surface from end to end.

61. The glacial phenomena of the polar area, the structure, formation, and motion of the ice pack as a whole as well as in sections have been the cause of considerable speculation for a period of hundreds of years. The two expeditions have supplied the first definite data.

62. Both the Byrd and Amundsen-Ellsworth-Nobile expeditions established the limits of the north polar ice pack on the Spitzbergen side. The latter also established the limits of the pack on the Alaska side within three days from establishing the first, and the condition of the huge body of ice during that period, thereby supplying more knowledge about ice of the Polar Sea than is known about the ice of any other sea.

#### XII. ZOOLOGICAL AND BOTANICAL OBSERVATIONS

63. Both expeditions surveyed the polar ice for signs of animal or vegetable life. Commander Byrd reported that he examined the ice pack while flying over it to and from the pole for signs of life—"a polar bear, a seal, or bird flying"—but could see none. Nor any signs of vegetable life.

Lincoln Ellsworth reported that the polar pack showed no signs of life north of 83½°. Up to this latitude polar bears and white whales were observed. After leaving the pole the first sign of life—a lone polar bear track—was seen at latitude 86°.

No signs of vegetable life were noted by the Amundsen-Ellsworth-Nobile expedition.

64. The zoological and botanical observations of the two expeditions confirm Peary's observations (The North Pole, Frederick A. Stokes, 1910), and establish that during the months of April and May animal life may not be seen outside of the neighborhood of the land surrounding the polar basin.

#### XIII. RADIO COMMUNICATION ACHIEVEMENTS

65. For the first time in history on May 12, 1926, a message was sent from the North Pole to civilization by radio as the *Norge* reached the North Pole. It was filed with the *Norge's* operator by Frederick Ramm, the correspondent of the New York Times, on board the *Norge*. It was picked up by a Norwegian radio station and relayed to Oslo by wire, and thence by radio to New York and relayed to every part of the civilized world within a few hours.

66. That radiogram from the *Norge* was the first of any form of communication ever had from the North Pole to any other place.

67. While en route from Kings Bay to Alaska the *Norge* had good radio communications with the Spitzbergen radio station and Green Harbor up to 46 hours, receiving correct radio bearings during the entire time. Subsequently the aerials became iced down, and it became impossible to transmit and receive because of the hard ice on the aerial and windmill screw that nearly stopped the charging of the batteries.

Ten hours before landing at Teller the radio operator got the wireless bearings of two Alaskan stations and determined the position for the landing at Teller.

68. It was the first time that a vessel of any kind had navigated over or on the polar basin and within the Arctic Circle by radio directions.

#### XIV. AERONAUTIC ACHIEVEMENTS

69. The fundamental aeronautic achievements may best be established by considering the following definition expressed by Admiral Peary on the occasion of the founding of the Aerial League of America:

"There is a new art in the world to-day, the art of flying; a new world to conquer, the world of the atmosphere; a new ocean to navigate and utilize, the ocean of the air, whose only coasts are infinite space."

The North Pole flight and the *Norge's* crossing of the polar sea represent the conversion of Peary's dream into a glorious fact; they evolved new principles in the art of flying, established a world record for airmanship, conquered the most challenging of the unknown regions of the world of the atmosphere, blazed the way for the navigating and utilizing of the Arctic air ocean, which affords geographic short cuts between centers of commerce now far apart, equal in importance to those that were opened by the Panama Canal and the Suez Canal; and they have brought lasting distinction upon our age and generation.



70. By soaring and opening the airways over the forbidding obstacles that have heretofore prevented explorers from making the north passage they resolved into a fact Ovid's poetic fancy, expressed by the ancient poet in these words:

"Let them close all passages of earth and sea;  
The heavens are open, and it will be  
Through there that we shall pass."

#### XV. TRANSPORTATION ACCOMPLISHMENTS

71. In 71 hours the airship *Norge* carried 16 men and a total load of 12 tons of gasoline and equipment from Spitzbergen to Alaska, accomplishing what had never been done before.

72. To have even the hope of covering the distance by the usual method of ships and dogs would have required several years, with the necessity of wintering at least twice, and a continuous danger to the ship and men.

#### XVI. ENGINEERING OBSERVATION AND REDUCTION

73. The Amundsen-Ellsworth-Nobile expedition established that the map of the northwest coast of Alaska does not correspond with the terrain, thereby contributing to the improvement of the cartography of the Arctic regions.

74. From a height of 2,000 feet both expeditions had a visibility of 100 miles, therefore had at all times an entirely different and broader perspective of the topography of the polar basin than had been had by any of the explorers.

75. The photographic airscapes of the North Pole area and polar basin made by the two expeditions have supplied for the first time data for constructing basic maps of the topography of the North Pole area.

76. Both the Byrd and the Amundsen-Ellsworth-Nobile expeditions confirmed the findings of Admiral Peary that the North Pole is located over a deep ocean covered with ice which everlastingly breaks up and freezes over, breaks up and freezes over as it drifts slowly southward in the direction of Spitzbergen and the Greenland Sea.

#### XVII. ACCOMPLISHED WHAT THEY STARTED OUT TO DO

77. The Byrd expedition and the Amundsen-Ellsworth-Nobile expedition rank with the Peary North Pole expedition and the Amundsen South Pole expedition, as having accomplished what they started out to do.

78. Few expeditions succeeded in doing that. Scores of expeditions started to go to the North Pole, to the South Pole, to the magnetic poles to make the northwest passage and the northeast passage but failed to attain their objective, although the results were often of great importance, as was the case with Columbus.

As early as 1553 Sir Hugh Willoughby was lost in attempting the northeast passage, but his pilot, Richard Chancellor, reached Archangel, went to Moscow, and started the trade between England and Russia.

Barentz sought to negotiate the passage in 1594, and in a subsequent expedition two years later discovered Spitzbergen.

79. Byrd and Bennett and the members of the Amundsen-Ellsworth-Nobile expedition, like Peary, Amundsen, Columbus, and Magellan, closed the chapter of a book—and lived to read the book.

#### XVIII. METHODS OF EXPLORATION REVOLUTIONIZED

80. The two expeditions have revolutionized all methods in Arctic exploration.

81. Heretofore the great steps in the progress in Arctic exploration have been as follows:

First. From John Davis (1588) to W. E. Parry (1827) all exploration was confined to attempts to navigate ships.

Second. Parry initiated the idea of reaching the North Pole on foot from a land base, the method followed by Peary in reaching the North Pole.

Third. Capt. John Ross and his nephew, James Clark Ross (1829-1834) were the first to attempt to use a steamboat for Arctic exploration.

Fourth. Barentz, who was the first European to winter in the Arctic, established then (1596) that to reach any distance it was necessary to winter in the Arctic and suffer the hardships of the long and severe Arctic nights.

Fifth. Peary developed the system of exploration by means of dogs and sledges into a science, making it possible to endure the hardships of the long Arctic winters, which had often been fatal to expeditions, and both he and Amundsen demonstrated that this system was efficient by their success in reaching the North Pole and the South Pole, respectively.

#### Revolutionary improvements defined

82. Amundsen has defined the revolutionary improvements in exploration demonstrated by Byrd's flight to the pole and the *Norge's* flight across the polar sea, as follows:

"Looking back on the different expeditions I have taken part in, the last one seems to me unbelievable. When I started exploring in the

polar regions we had to utilize the same means that had been used for generations. And now, 30 years afterwards, science and technic have made it possible in days to explore regions bigger than could have been explored before in the same number of years.

"The risk of flying over 10,000 square miles in a few hours to-day is not greater than it was before to go in the ice with a ship.

"Due to the wireless the explorer to-day can fix the best moment for starting through the air, and due to the wireless he can, during the flight, choose the route where weather conditions are best. Even in fog he can continue his flight by radio bearings. Before, the world did not get news from him after he had passed the frontier between the known and the unknown: now he is enabled to tell the world how his expedition goes on from hour to hour. And after his return, due to modern photography and moving pictures, he can give much richer impressions of what he has seen than ever before."

83. Peary also foresaw that by the employment of aircraft for exploration the inaccessible would be made accessible, the necessity of wintering in the Arctic so as to be at an advanced base would be removed, and with that would also go the dreaded Arctic darkness, taxed with uncertainty and possible disasters, which drove people to insanity, the intense cold that came with the long winter night, the danger from scurvy, and, if compelled to live on ships, the unpleasantness from rat infestation. It would eliminate the summer dangers that beset the progress of the explorer at every step on account of the polar ice breaking under his feet, danger to the ship from moving ice, and limitation of activities over the polar basin on account of lack of solid ice to bear the expedition, and inability of ships to advance on account of the ice pack.

#### Plans evolved by Peary and Amundsen carried into effect by Byrd and Amundsen-Ellsworth-Nobile expeditions

84. Peary and Amundsen foresaw as early as 1911-12 that polar exploration would be revolutionized by the employment of aircraft, and both became actively interested in aeronautics, Peary becoming, in 1912, head of the first committee to plan an aeronautic map of the world, and subsequently head of the National Aerial Coast Patrol Commission, president of the Aerial League of America, and chairman of the International Science Forum, which offices he held until his death; and Amundsen learned to pilot an airplane and became a licensed pilot in 1914, being the first explorer to qualify as airplane pilot.

85. In 1916 was formed the committee planning the exploration of the polar regions by aircraft, the members of which were Peary, Amundsen, Shackleton, Robert A. Bartlett, Henry Woodhouse, honorary secretary and historian. The honorary advisers of this committee included a number of noted scientists, authorities, and explorers. Plans were made for the employment of aircraft and radio. The preliminary plans of the committee were announced on December 21, 1916, at a meeting held in the studio of A. A. Anderson, president of the Hunters' Fraternity of America, which was attended by all the members except Shackleton, who was unable to be present. Peary prophesied at this meeting that—

"In the very near future the biting air above both poles will be stirred by whirling airplane propellers, and when that time comes the inner polar regions will quickly yield their last secrets."

86. An airplane was presented to Amundsen in 1916 to take on his northeast passage expedition, and on December 26, 1916, Peary announced that both Amundsen and Bartlett were completing plans for polar expeditions in which airplanes would be employed. On account of America's entry in the World War the airplane could not be delivered to Amundsen, and Captain Bartlett was assigned to war duties, which prevented him from organizing the expedition planned by the Aerial League of America, for which W. K. Vanderbilt underwrote \$10,000, John D. Rockefeller, jr., \$5,000, Charles H. Sabin, \$5,000, Henry Woodhouse, \$5,000, R. L. Ireland, \$1,000, Mrs. William A. Bartlett, \$1,000.

87. This matter rested until early 1922 when Amundsen, in preparing to start on his Arctic drift expedition with the schooner *Maud*, planned to take on a scouting airplane to use in surveying while the *Maud* was drifting northward with the ice pack.

88. On January 19, 1922, at a conference held at the New York offices of the Aerial League of America, Amundsen and Henry Woodhouse, who succeeded Peary as president of the league, considered the prospects of securing an airplane capable of flying to the North Pole, and it appearing that such a flight could be made with the Junker metal plane that had flown over 29 hours without stopping in freezing weather, Amundsen decided not to go with the *Maud* on the drift expedition, but to take a Junker airplane to North Alaska with Omdahl and attempt the polar flight.

89. Amundsen relates the outcome as follows:

"I left the *Maud* and went ashore at Wainwright, on the northwest coast of Alaska, together with the aviator, Omdahl, to try to fly with the big Junker machine that same summer from Point Barrow over the north polar basin to Kings Bay, in the northwestern part of Spitzbergen.

"For various reasons we did not try to start that year, and Omdahl and myself stayed during the winter of 1922-23 in Wainwright. Our intention was to start in the spring of 1923 for Spitzbergen. When spring arrived we made some trial flights, but the results of these were bad. The plane on landing after one flight was very much damaged and we thought it best to stop trying. The Junker was sent back to the States and Omdahl and I returned to Norway."

90. During the winter of 1923-24 Amundsen, aided by Lieuts. Hjalmer Riiser-Larsen and Leif Dietrichson, of the Norwegian Navy air service, proceeded to organize a polar-flight expedition, to be equipped with two Italian Dornier-Wal seaplanes. The plans for this expedition are explained by Amundsen as follows:

"We had ordered flying boats made by Dornier Wallin, of Pisa, and our intention was to fly these planes from Pisa to Spitzbergen. Our base for the pole flight was to be Virgo Harbor on the Danish island in the northwestern part of Spitzbergen, whence the Swede, Andree, started in 1897 with his free balloon and from which also the American, Wellman, some years later tried to reach the North Pole with an airship. Our preparations were so far advanced in June that I left my home in southern Norway and went to Spitzbergen, where I should join the expedition as soon as the flying boats arrived."

"But before, in northern Norway, I embarked on the ship that should be our mother ship in Virgo Harbor, I got the surprising message that we again had to postpone the expedition. All the money was spent, we could not get more, and the flying boats were not yet paid for. Again I had to go home, apparently further from my goal than before. All seemed dark, and I, as well as my comrades, got many proofs that people considered our plans a bluff and that we did not mean it seriously when we spoke about exploring the north polar basin with flying machines."

91. Amundsen explains the combination of circumstances that led to the organizing of the 1925 Amundsen-Ellsworth expedition as follows:

"In Norwegian we have a proverb saying, 'Wait, the greatest assistance is approaching.' And what has happened since the dark year in my life as explorer in 1925 proves that concerning me the proverb, in any case, is correct."

"We went on in our efforts to get money for an expedition in 1925. Understanding, after all our disappointments, that we needed more assistance, we addressed an institution that, more than any other institution or single person, has helped me, namely, the Norwegian Aero Club."

"We asked the Aero Club if it would undertake to manage a flying expedition over the polar basin and procure some of the money we wanted, if I should try to get more by lecturing in the United States. The Norwegian Aero Club, whose president is the well-known Norwegian editor, Mr. Rolf Thommessen, answered that it would try, and commenced immediately the work in Norway."

"I went to America to do what I could. And in the United States I got another proof of the truth of the Norwegian proverb. The American citizen, Lincoln Ellsworth, came to me one day when I was just on the point of giving up the possibility of being able to accomplish my part of the agreement with the Norwegian Aero Club, and without condition he offered me a sum of money great enough to assure the expedition. Indeed, the pecuniary support he so generously gave the expedition was very valuable in a critical moment during the preparation, but, nevertheless, his personal work both before the start and during the dramatic weeks in the ice was of still greater importance. And I was very glad when the president of the Aero Club, Mr. Thommessen, after my return to Norway from the United States, told me that the administration of the Aero Club had decided to add Mr. Ellsworth's name to the expedition and that it had appointed him a member, honoris causa, of the Aero Club, as a sign of gratitude toward the noble American who had done so much for the realization of the polar expedition."

92. The agreement whereby Lincoln Ellsworth's father, the late James W. Ellsworth, gave \$85,000 to finance the Amundsen-Ellsworth 1925 polar flight expedition was concluded on November 11, 1924. The outcomes are summarized at paragraph No. 8 of these findings.

93. The use of an airship for the 1926 expedition was decided on when Amundsen and Ellsworth returned to Oslo after their 1925 polar flight, and Ellsworth agreed to contribute \$100,000, to which he later added \$25,000.

#### XIX. SAVINGS IN TIME, COSTS, LIVES, AND MATERIALS

94. Measured solely from the standpoint of sum total of accomplishments per dollar and efforts spent the Byrd Arctic expedition and the Amundsen-Ellsworth-Nobile expedition were amazingly economical. The same was true of the Amundsen-Ellsworth 1925 expedition.

The newest instruments of science made possible greater accomplishments in less time, at lower cost, less effort, and no loss of life or property, the greatest gains to geographic research in the shortest time, the largest addition to the domain of human knowledge regarding the Arctic and Arctic exploration.

95. A clear idea can be obtained of the great progress made by the three expeditions by considering the following table which shows the major achievements of preceding expeditions:

#### Northward progress made on the Eastern Hemisphere by land and sea

	Date	North latitude	Longitude	Locality
William Barentz.....	July 14, 1594	77 21	62° E....	Near Cape Nassau, Nova Zembla.
Ryp and Heemskerk.....	June 19, 1596	79 40	12° E....	Northern Spitzbergen.
Henry Hudson.....	July 13, 1607	80 23	16° E....	Spitzbergen Sea.
J. C. Phipps.....	July 27, 1773	80 48	20° E....	Do.
William Scoresby.....	May 24, 1806	81 30	19° E....	Do.
W. E. Parry.....	July 23, 1827	82 45	20° E....	Do.
Nordenskjold and Otter.....	Sept. 19, 1868	81 42	18° E....	Spitzbergen Sea (highest byship).
Weyprecht and Payer.....	Apr. 12, 1874	82 05	60° E....	Franz Josef Land by Payer (highest by land).
Fridtjof Nansen.....	Apr. 7, 1895	86 05	100° E....	Polar ocean.
Duke of the Abruzzi.....	Apr. 25, 1901	85 34	65° E....	By Capin, on polar ocean.
Amundsen and Ellsworth....	May, 1925	88 0	10° W....	Polar ocean (by seaplane).
Byrd and Bennett (first to reach pole from Eastern Hemisphere).	May 9, 1926	90 0	-----	Do.
Amundsen, Ellsworth, and Nobile (first to make north passage)	May 11, 1926	90 0	-----	Do.

96. The cost of the Amundsen-Ellsworth-Nobile expedition, estimated at \$300,000, has been reduced by the sale of the *Norge* to Italy for \$48,000, so that the cost of the entire expedition was only \$52,000 over the cost of the exploration ship *Discovery*, which cost \$200,000.

The *Norge* only cost \$75,000 originally, and she carried the equipment necessary for the expedition and for the great accomplishment as completely as any exploration ship did heretofore.

The cost of the Franklin expedition and the 40 or so relief expeditions sent to find or rescue the Franklin expedition or the relief expeditions during the 10 years 1847-1857 amounted to several million dollars. The British Government offered \$100,000 and Lady Franklin \$15,000 as reward to any exploring parties who would be able to render assistance to Sir John Franklin, his ships or their crew, who perished in the attempt to complete the discovery of the northwest passage.

#### XX. ECONOMIC IMPORTANCE AND SIGNIFICANCE

97. The economic importance of opening the north passage as a geographic short cut from the North Atlantic to the North Pacific, saving thousands of miles in going from Europe to the Orient, has been recognized for over 400 years and has been the prime motive that caused European nations to send expeditions to attempt to find a passage over the top of the earth.

Its accomplishment by the Amundsen-Ellsworth-Nobile expedition will distinguish this age from other ages in history.

It has always been an economic achievement to discover a geographic short cut by which the distance between centers of commerce has been shortened, and the annals of history record few accomplishments that have been of greater value to mankind than the finding and opening of such short cuts.

98. England was rewarded for her efforts to find a northeast passage by the opening of the White Sea to English commerce.

Gen. A. W. Greeley estimated 20 years ago that "in a little over two centuries the Arctic regions have furnished to the civilized world products aggregating a thousand million dollars in value."

The opening of the north passage is destined to lead to important commercial results that will increase in value as the years go by.

#### No loss of life

99. The Amundsen-Ellsworth 1925 expedition, the Byrd Arctic expedition, and the Amundsen-Ellsworth-Nobile expedition demonstrated the comparative safety of the new method of exploration—by employing aircraft, radio, and other scientific devices—by not losing a single life.

100. No more need fame place her crowns of laurels upon the tombs of heroic souls who perished in seeking the north passage.

No more shall leaders of science stand by the biers and monuments containing only the deathless names of the brave and noble men who failed to return, and repeat Tennyson's lines written on Sir John Franklin's monument at Westminster Abbey:

"Not here! The white North has thy bones; and thou,  
Heroic sailor soul,  
Art passing on thine happier voyage now,  
Toward no earthly pole."

Too many times have these who had to award honors had to say as the president of the Geographical Society of Paris (the oldest geographical society), in presenting the Roquette medal:

"Francis Hall, like his fellow countryman, Kane, 17 years before him, has fallen a victim to his sufferings, and it is on a tomb that we must once more deposit a crown."

We close the chapter of this great geographical story, not with tears in our eyes but with joy in our faces and with singing hearts, clasping



the hands of the gallant men who performed these stupendous deeds that will distinguish our age from other ages in history!

The above are achievements that will distinguish this age from other ages in history; therefore we may say of Amundsen, Ellsworth, Nobile, Byrd, and Bennett as Roosevelt said of Peary—that they have made all dwellers in the civilized world their debtors.

HENRY WOODHOUSE,

*Chairman, President of Aerial League of America.*

JOSEPHINE D. PEARY,

*Widow of Admiral Peary, Discoverer of the North Pole.*

C. M. CHESTER,

*Rear Admiral, United States Navy, Retired,*

*Trustee National Geographic Society.*

A. A. ANDERSON,

*President Hunters' Fraternity of America.*

MARIE AHNIGHITO PEARY STAFFORD,

*Daughter of Admiral Peary, Discoverer of North Pole.*

FREDERICK S. DELLENBAUGH,

*Vice President Explorers' Club.*

ALAN R. HAWLEY,

*Member of Original North Pole Flight-Planning Committee.*

ROBERT A. BARTLETT,

*Captain of S. S. "Roosevelt," Peary North Pole Expedition.*

FITZHUGH GREEN,

*Lieutenant Commander, United States Navy,*

*Member of Crocker Land Expedition.*

GEORGE PALMER PUTNAM,

*Director of American Museum Greenland Expedition.*

JEFFERSON DE MONT THOMPSON,

*Chairman of New York State Aviation Commission.*

MRS. WILLIAM A. BARTLETT,

*Chairman Aviation Committee, National Special Aid Society.*

EDWIN MARKHAM,

*Dean of American Poets.*

HORACE G. KNOWLES,

*Former Minister of the United States to*

*Rumania, Serbia, Bulgaria, Bolivia, Nicaragua, and*

*Santo Domingo, Secretary of the Aerial League of America.*

DAVID TODD,

*Emeritus Professor of Astronomy, Amherst University.*

#### UNITED STATES BOTANIC GARDEN

Mr. LUCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 5722) to authorize the construction of new conservatories and other necessary buildings for the United States Botanic Garden, and pass the same.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to take from the Speaker's table the bill S. 5722, and pass the same. The Clerk will report the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc., That the Architect of the Capitol, under the direction and supervision of the Joint Committee on the Library, is authorized and directed to provide for the construction of new conservatories and other necessary buildings for the United States Botanic Garden, in accordance with the report submitted to Congress pursuant to paragraph (4) of section 1 of the act entitled "An act to provide for enlarging and relocating the United States Botanic Garden, and for other purposes," approved January 5, 1927. The Architect of the Capitol is authorized to enter into such contracts in the open market, to make such expenditures (including expenditures for material, supplies, equipment, accessories, advertising, travel, and subsistence), and to employ such professional and other assistants, without regard to the provisions of section 35 of the public buildings omnibus act, approved June 25, 1910, as amended, as may be necessary to carry out the provisions of this act.*

SEC. 2. There is hereby authorized to be appropriated the sum of \$876,398, or so much thereof as may be necessary, to carry out the provisions of this act. Appropriations made under authority of this act or under authority of section 2 of such act of January 5, 1927, shall be disbursed by the disbursing officer of the Library of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. SNELL. Will the gentleman from Massachusetts give an explanation of the bill?

Mr. BLACK of Texas. Mr. Speaker, I object to the request of the gentleman from Massachusetts.

Mr. LUCE. Will the gentleman withhold his objection while I state what is proposed?

Mr. BLACK of Texas. I withhold the objection if the gentleman wants to make a statement.

Mr. LUCE. Mr. Speaker, this is more or less a perfunctory motion to carry out the will of the House as expressed in its previous legislation. Gentlemen will remember that the Committee on the Library was by the previous legislation instructed

to secure plans for the proposed construction of the new Botanic Garden which should be approved by the Commission on Fine Arts and the Committee on the Library. These plans have been secured and have been approved as required by the statute.

The desire for expedition in the matter is due to the fact that various things are hung up pending the removal of the present structures from the garden. The Congress appears not to desire that the Bartholdi fountain shall be taken out before the structures are under way in the new location, and until that is taken out, the Meade Memorial can not be finished. Gentlemen who are greatly interested in the completion and the dedication of the Meade Memorial have been pressing us for action for a long time. In short, the program upon which the House has decided, can not be carried out until this authorization is put through.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. LUCE. Certainly.

Mr. BLACK of Texas. I notice a section in the bill that repeals certain provisions of the general public buildings law relating to architects, draftsmen, and things of that kind. I think we ought to have time to look over a bill of this nature before passing it by unanimous consent. It involves an appropriation of \$876,000, and until we can have time to look over the bill and see what it does, I shall object.

Mr. LUCE. Would the gentleman be willing to have the matter considered to-day, toward the end of the day?

Mr. BLACK of Texas. I would not say at the present time. I would like to look over the bill and examine it.

Mr. LUCE. If the gentleman is willing, we should be very glad to expedite the matter.

Mr. BLACK of Texas. At this time I shall object.

Mr. SNELL. Will the gentleman yield for a question?

Mr. LUCE. Certainly.

Mr. SNELL. As I understand it, this is practically carrying out the authorization which we put through the House about a year ago?

Mr. LUCE. No; not the authorization which we put through a year ago. We first began with a study of the plan.

Mr. SNELL. Yes; I understand, and then we authorized the purchase of land.

Mr. LUCE. That was not a year ago, but was more recently—just a short time ago.

Mr. SNELL. I thought the legislation that was enacted at that time practically covered the whole thing.

Mr. LUCE. It covered the acquisition of the ground.

Mr. SNELL. It did not provide for the buildings?

Mr. LUCE. This provides for the buildings.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. LUCE. Certainly.

Mr. BLACK of Texas. As I understand it, the ground is not yet purchased upon which these conservatories are to be erected?

Mr. LUCE. I doubt if any of it has been purchased as yet.

Mr. BLACK of Texas. Not a foot of it, and until we purchase the site and appropriate the money for that purpose, I do not think we ought to authorize entering into a contract for the erection of a building upon land which we do not own.

Mr. LUCE. No such contract would be entered upon by any reasonable man.

Mr. BLACK of Texas. Then why authorize it until the Government has acquired title to the property?

Mr. LUCE. Because we want to get this done this summer if we can.

Mr. BLACK of Texas. It can wait.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. EDWARDS. Reserving the right to object, Mr. Speaker—

Mr. BLACK of Texas. I object, Mr. Speaker.

#### EXPLOSION AT NAVAL AMMUNITION DEPOT, LAKE DENMARK, N. J.

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4558) to provide a method for compensating persons who suffered property damage or personal injury due to the explosions at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to take from the Speaker's table and pass the bill S. 4558. The Clerk will report the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc., That the Secretary of the Navy be, and is hereby, authorized and directed to make a thorough investigation of the merits of the claims which have been submitted to the Navy*

Department in writing and which may be submitted within six months after the date of this act, for compensation for property damage, death, or personal injury, alleged to have been caused by the series of fires and explosions which occurred at the naval ammunition station, Lake Denmark, N. J., on the 10th day of July, 1926, and to transmit each such claim with supporting papers and a report of his finding of facts and recommendations thereon to the Comptroller General of the United States for submission to the Congress with his recommendations thereon: *Provided*, That claims of persons not employees of the United States for compensation for disability or death resulting from personal injury sustained from said fires or explosions shall not be recommended hereunder for persons or in amounts which would not be allowable under the United States employees' compensation act if the individual were an employee of the United States: *Provided further*, That the report to be made hereunder shall contain a brief statement of the character and justice of each claim so certified, the amount claimed, and the amount found due.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ACKERMAN a motion to reconsider the vote whereby the bill was passed was laid on the table.

A similar House bill was laid on the table.

Mr. ACKERMAN. Mr. Speaker, I ask leave to extend my remarks on the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. ACKERMAN. Mr. Speaker and gentlemen, this bill provides for the certification to Congress of all claims arising out of the explosion at the naval ammunition depot at Lake Denmark, N. J., last July.

It has the approval of the Secretary of the Navy, the Director of the Budget, and the Comptroller General.

No money is appropriated by it for the settlement of any of the claims. Instead, provision is made for the Secretary of the Navy to transmit to the comptroller all claims that have been filed or may be filed within six months after the passage of the bill.

The comptroller is authorized to forward these claims to Congress with his recommendations thereon. In this manner the money for the payment of the claims is only made available after Congress shall have before it the comptroller's recommendations.

Up to this time the Navy Department has received and investigated 4,756 claims. Of this number 135 are for personal injuries. The property damage claims, for dwellings and buildings outside of the arsenal area, number 4,492. The remainder of the claims cover losses sustained by persons residing within the arsenal area or whose employment or business brought them within the naval ammunition depot.

Estimates on the basis of the Navy Department's investigation thus far fixes the total property damage at \$253,142.22.

Estimates for personal injuries have been fixed in the preliminary figures at \$13,718.28, but this will probably be materially changed under the provisions of the committee amendment which provides that all personal injury claims shall be settled on the basis of the amounts which would be allowed under the United States employees' compensation act if the individuals injured had been employees of the United States.

As originally presented my bill provided for the immediate settlement of claims under \$1,000. Had the personal injuries and destruction of this property been caused by an explosion which occurred in the operation of the arsenal, the Navy Department would have had authority under the general law to settle all claims up to this amount. As the explosion was caused by lightning on a Saturday afternoon in July while the plant was not in operation, the settlement provisions of the general law can not be applied.

In the preparation of my bill I had in mind that the immediate-settlement features would have taken care of the majority of these claims. Provision was made to have all claims in excess of \$1,000 certified to Congress. Subsequently I learned that only 43 claims for property damage are in excess of \$1,000 and only one for personal injury exceeds this amount.

It was not seen fit to handle the settlement of these claims on the terms of my bill, and I am therefore asking that the bill as amended by the committee be passed.

#### AN INDEPENDENT RESERVE

Mr. GARBER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of an independent reserve, supported by two letters from Colonel West, of the Three hundred and seventy-eighth Infantry. Also on the subject of agriculture, with the incorporation of an address

recently delivered by Mr. Rennick Dunlap, Assistant Secretary of Agriculture.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

Mr. BEEDY. How long an article is the article the gentleman refers to?

Mr. GARBER. It will occupy about a page in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARBER. Mr. Speaker and Members of the House, the futility and waste of unpreparedness was forcibly illustrated in the world's great war. We were a Nation of civilians, and for 14 months after we nominally entered the war our allies held the line while we put our boys through intensive training for the actual conflict.

Germany was a militaristic nation. Her immense reserve of trained soldiers gave her the strength which threatened the world. Her military efficiency has not been questioned; but even she was unable to train men for positions of command as fast as the greedy hand of war crushed them, and she lost the war.

The Reserve Officers' Training Corps is the basis of our national preparedness. An army may spring up overnight at the country's need, but men capable of conserving and utilizing that strength and turning it to practical account are the product of training and education.

The shortsighted policies of the War Department in regard to the reserve, designed evidently for the protection of the Regular Army even at the expense of the reserve, threaten the existence of that organization and demand immediate action. The remedy lies in an independent government for the reserve, a government entirely separate and apart from that of the Regular Army and whose primary function shall be the development of the organization to its highest standard of strength and efficiency.

I herewith insert letters from Charles West, colonel, Three hundred and seventy-eighth Infantry, Tulsa, Okla., addressed to General Pershing and to Lieut. Col. Orvel Johnson, secretary of the Reserve Officers' Association of the United States, as containing valuable information and constructive, practical suggestions for the correction of the existing conditions of unwise discrimination:

FEBRUARY 10, 1927.

Gen. JOHN J. PERSHING,

War Department, Washington, D. C.

DEAR GENERAL: I hope you will find time to read the letter of which I inclose you a copy. As to the first and second paragraphs therein, I have said enough.

As to the third, I think it is the best thought of those in the reserve that the reserve must be entirely free from the control of the Regular Army in time of peace. I don't mean that the instruction of the reserve shall be changed or that the administration of the reserve shall be changed, but the development of the reserve must surely be put in other hands. Whether we need an Assistant Secretary of War in control of the reserve, a chief of the reserve bureau, or what not, I am not undertaking to say; but the Regular Army does not understand what you have told them—that it is the administrative and instructional branch of the Army now only.

I am passing by as unimportant the matter of garrisons at home and abroad. The Regular Army does not seem to understand, although you have told them, that the reserve is the future fighting army of the United States; that it costs the United States no more to have 100 captains in the reserve than 10,000 captains; that the only thing that costs the United States is when and if a portion of those captains are called on active service; that the number available does not dictate the amount that shall be spent; and that the only wise policy is to develop as many of all ranks as can be properly developed, and that, therefore, promotion should be only limited by proven capacity, and that promotion to general rank should not be different from any other kind of promotion. Of course, we who are civilians understand that we can not compete with our comrades who are professionals, but if you concede that it is wise to promote reserve second lieutenants to first lieutenants rather than to fill all gaps from the Regular Army above the lowest grade, then it should be conceded that this policy should only stop where the reserve officer shows a lack of capacity to fill the next place above him. But the greatest trouble with the whole thing is that these policies are clearly directed to prevent rapid promotion in the reserve and thus are devised for the protection of the personnel of the Regular Army instead of being created for the development of the reserve. For the latter purpose, rapidity of promotion is not objectionable if not extreme. Of course, rapidity of promotion which leads to loose standards for promotion is thoroughly objectionable. I don't think that any officer in the reserve desires at all that promotion in the reserve be confined to the reserve. I think we are



entirely willing and anxious that the best men from any source be selected, but it seems to many of us that for the proper development of the reserve there must be over it a commanding head who thinks only or chiefly of what will best serve them, and that no policy governing the reserve ought to be made out on any other basis. There is almost unanimity in the reserve upon the points that I name here, and, admitting our technical inferiority as to knowledge or experience, I do not see how we can all be wrong, and trust that your outstanding character and influence will be exercised in doing the thing that is wisest for the future of the country.

Very sincerely,

CHAS. WEST,

Colonel Three hundred and seventy-eighth Infantry.

FEBRUARY 10, 1927.

Lieut. Col. ORVEL JOHNSON,

Secretary Reserve Officers' Association of the United States,  
National Headquarters, 1653 Pennsylvania Avenue NW.,  
Washington, D. C.

DEAR COLONEL JOHNSON: Yours of the 4th instant regarding new policies of the War Department relative to reserves, suggesting a letter from me ament same, received. I see nothing new in them that is not bad. However, I have only read the statement of the new policies recently, and have not sufficiently digested them to have much confidence in my opinions except on three heads, which are these—

1. I think the policy of promoting reserve officers' only to fill vacancies is wrong down to the root. It is the proper policy only for an organization that is not intended for expansion. It is like the baby shoe kept from infancy on the foot of the Chinese girl and will inevitably have the similar consequences in preventing self-locomotion. But the reserve is an anticipatory arrangement for an unseen emergency. It may break out anywhere, at any time, in any size, and for such an unmeasured event it seems very inadequate to prepare only in a minimum measure. All the manhood of the United States willing and capable of training for officers should be trained. The idea that officers can ordinarily be trained after the outbreak of hostilities overlooks the fact that for 14 months during the last war France and England held the lines for us and that the Plattsburg movement trained a large number of officers before our entrance into the war. Germany lost the war after the break through south of Amiens in March, 1918, principally because she found it impossible during war to train officers faster than she consumed them. Why do we think we can do better than Germany, famed for her teachableness?

Promotion, then, in the reserve should be for capacity only. Demand a high quality, but take all check off the quantity. The expense of this method is infinitesimal compared to its results.

2. The provision that there be no promotion to general rank in time of peace is worse than inadequate. It means that when, and if, one reaches a colonelcy, there is eliminated the usual incentive for him to study or work. Colonels are human beings as are privates, and if promotion is an incentive to the one, it is to the other. I have been both. I know. It seems almost childish for the Government to furnish me with a military education covering many years, and then when I reach a colonelcy and begin to reach the point where brains, experience, character, years of indoctrination, put me in position to return something real to the Government for its money, to invite me to resign by notifying me I shall, and can, never be promoted until war breaks out. That is a denial of the one Army spirit. This kind of injustice can not be perpetrated upon men of that type without taking its full toll. Every self-respecting colonel of reserves will ask himself the question, Whether the game is worth the candle? Are the gentlemen of one establishment trying to drive us out of the service?

3. These policies illustrate the crying necessity for the reserve to provide for itself a governing function entirely apart from the present control, which has not shown its capacity to sense it even, much less develop it. The reserve is the fighting army, and the only fighting army the country has. How long shall red tape tie down the sleeping giant?

Very sincerely,

CHARLES WEST,

Colonel Three hundred and seventy-eighth Infantry.

#### OUR BASIC INDUSTRY

Mr. GARBER. Mr. Speaker, Members of the House, the spotlight which has been turned on the farmer and his problems in recent years has uncovered a complexity and interdependence of relationship between agriculture, industry, and labor never before recognized and has clearly defined the position of agriculture as basic in our economic structure.

During recent years of what we were proud to call "our unprecedented national prosperity" the farmer has been in the position of "on the outside lookin' in," and it is only lately that we have come to our senses as a Nation and recognized the precarious nature of a prosperity which excludes agriculture. Statistics have proved beyond the shadow of a doubt to

even the most obstinate and skeptical that the very life of agriculture is threatened by a continuation of our present system of discrimination against it, and on the solid groundwork of facts and figures has slowly grown up a concerted public opinion, embracing even the industrial East, that "something must be done" for the relief of the industry. The cost-plus system for everything he has to buy and unrestricted competition for everything he has to sell is at last recognized as a dangerous one not only to the farmer but to every citizen of the Nation, no matter what his occupation.

In an address before the Illinois Farmers' Institute at Kankakee, Ill., February 24, 1927, the Assistant Secretary of Agriculture, R. W. Dunlap, presented the agricultural problem, tracing its development in the past and looking toward a future when, its major problem of merchandising solved through wise governmental aid, agriculture will be the foundation of a permanent national prosperity. Because of the constructive and comprehensive character of the address and its expression of the practical concern of the department in the problem of "our basic industry," I ask leave to insert it herewith so that it may be made of permanent record:

#### OUR BASIC INDUSTRY

The spotlight is on the American farmer. He is probably the most talked-of person in the country to-day. He is the subject of serious conversation in the business office, in the bank, the store, and the factory. He is on the front page of the newspapers and is given considerable space in the CONGRESSIONAL RECORD. He is talked about in meetings of all kinds, and especially is he talked about whenever politicians are gathered together.

For many years the farmer has been chugging along without realizing that he is too frequently shunted off on a siding while the others speed by him, and that he has been held up while they "hog the tracks." But he is beginning to realize that he too can demand and get his share of the right of way. He has made up his mind that he should play express train for a while, instead of accommodation. He is finding out that if it were not for him and his efforts the road of national progress would soon be out of running order.

Let us consider the background of the present agricultural situation by briefly reviewing the past and the present. Then we can better understand what may be expected of agriculture in the future.

Generations of farmers have come and gone since agriculture became a distinct undertaking in this country. The 50 years prior to the twentieth century marked the expansion of agriculture at its height. It was during that time that the great producing regions west of the Mississippi River were brought under the plow. It marked the time when land was plentiful and little thought was given to farming except to increase acreage. But there came a time around 1900 when most of the available land had been brought under control, and there began a period of concentration of farming as distinguished from extensive farming. It was then that agricultural colleges and rural educational agencies came into their own. Agriculture began to be recognized as a great industry, basic in importance, and one which was destined to have a place in our national economic structure along with manufacturing, mining, and commerce.

Not until that time had the leaders of agriculture had to deal with the problems of economics to a very great extent, for the farmer's steady expansion had made it unnecessary to his welfare at the moment. Thus for the past 25 years we have been gradually approaching the time when the farmer was to share the economic right of way in our country with the merchant, the manufacturer, the laborer, and others.

With the approach of the present economic era in agriculture there began to appear perplexing problems of markets, transportation, exports, surpluses, production, and many more. All of them were increasing in importance with the growing population and the increase in production, until at the present time we are faced with the most serious, deep-seated, far-reaching problems which have ever confronted us and the sum total of all of these various but related problems is what is commonly called "our agricultural problem." It is therefore not a single problem, but a bundle of problems, and because of that is far from an easy one to attack and solve. There have been times in our history when general depressions have brought agriculture momentarily into more critical situations than at the present time, but they were short lived. There have been seasons when the farmer has felt the pinch of hard times more keenly than at the present, perhaps, but he felt it along with the others. This time he is suffering alone. He is in a special depression all his own, while the rest of the industries of the country are prosperous. Because agriculture is facing the thing alone, it has succeeded in bringing to light the inequalities in our economic structure.

To-day agriculture is the Nation's most fundamental industry, the feeder of our country's 117,000,000 people and the exporter of \$1,892,000,000 worth of products to other lands, or 40.7 per cent of America's total exports, exclusive of forest products. We find the American farmer changed from the old-fashioned tiller of the soil only to a modern, educated, businesslike individual with tilling the soil but one of his

many duties. He holds first place among American producers of national wealth. But the higher his position the greater is the responsibility and the more the Nation as a whole depends upon his success. In other words, since the farmer has seen and is contending for his rightful place in our economic life it has become even more important that agriculture be prosperous in order that the whole country may prosper.

Agriculture, generally, can not be said to be prosperous at the present time by even the optimistic. True, there are certain areas where good crops, handy markets, or other conditions have made for local prosperity, but viewing it collectively, and considering every variety of farming, agriculture is not prospering.

It is probably not necessary for me to relate to you the fact that some farmers were compelled last year to sell their crops for less than cost or to tell you that at the end of 1926 the farmer's purchasing power was lower than the average for 1923, 1924, and 1925. You probably know all too well that in spite of the bumper crops of last season, the total value placed upon all agricultural crops, not including livestock, was considerably over a billion dollars less than the value for the preceding year. I have said "in spite of last year's bumper crop," but I can just as well say, "because of last year's bumper crop," the value is less; for the surplus is the cause of one of the greatest of the immediate problems.

But it is not my purpose to-day to dwell upon the darkness of the picture, and certainly not to attempt to whitewash it to make it look bright. Some of those who honestly are seeking to bring about relief, but who use the agricultural problem as a talking issue only, and there are many such, may try to brighten the picture by saying, "The farmer only thinks he is in a bad fix, but he really is not." Yet that is no more injurious to the cause than to have him paint it too extreme the other way and say "The farmer has gone to the bottom, and nothing short of a miracle can help him." The picture must be seen in the light of fairness and in its true proportions, without distortion one way or the other. As I have said, it is not my purpose to whitewash it, nor is it my purpose to darken it; rather, I want to give you some of my ideas as to the future of agriculture, and try to make a fair guess at what there is in store for us, and to consider some of the means we have at hand for bringing it about.

Of course, the first thing to do in approaching the future is to adopt an attitude of hopefulness, otherwise there would be no reason for continuing. It is because we can be absolutely confident of the brightness of the future that we are able to attack the problems and clear the track of the debris our present difficulties have put in our way. In order to clear the track each separate problem must be solved, and while we are at it, it is better that it be done with as much finality as possible.

That is why I have held to the theory that in trying to find a solution for the farm problem, that remedy which can permanently and forever remove the cause is the one to adopt. Of course, I do not mean that we must let the fire burn the house down while we discuss the type of protection necessary to prevent another fire. An emergency measure is often necessary in dealing with any great problem, but I am not thinking of the temporary problems or the emergencies of agriculture when I mention the so-called "agricultural problem." I am thinking of the task of placing this basic American industry of ours on a permanent footing, of effecting a lasting readjustment between agriculture and other industries, and bringing it to its rightful position, so that the farmer may have the same economic rights and advantages which are enjoyed by those in other pursuits. In other words, when I speak of the future of agriculture I do not mean next year or the year after that, but rather the ultimate destination of agriculture as far in the future as you want to consider it. It is with such a forward look that we must interpret our problems, and with the destination in mind we are able to start clearing the track of each of the many obstacles.

The outstanding, and at the same time, the most difficult, single problem is that of the surplus of agricultural products which has depressed the market. The load has been too great, and the market has broken under it; the track is littered with a serious obstacle which will have to be removed.

The problem of agricultural surpluses may be approached from two general directions: One is through a better adjustment of production to market requirements; the other is through marketing itself.

Agricultural surpluses may arise from poor market distribution of the product, variations in seasons that cause great variations in production, farmers plunging too heavily into certain commodities because they have been profitable in the past, and from general lack of balance between farm production and consumers' needs or purchasing power.

Agricultural surpluses may be grouped into short-period or long-time general surpluses. The short surplus is most frequent with perishable products and is caused usually by supplies arriving too light at one market and too heavy at another. Such a condition results in spoilage and extra expense in reconsigning cars and in rejection of some of the commodities, which always lowers the returns received by the producers. It is a long-time surplus which comprises the real problem.

We are confronted with all the many and varied causes which may tend to depress returns from farming. During the last 50 years the

production of agricultural products per farm worker has increased by half while the quantity of farm products consumed per capita of population in the United States has remained practically unchanged. During the same period the proportion of our farm products exported has been tending downward. The continual increase in the efficiency of agricultural production, therefore, brings with it a continuous necessity for shifting more and more workers from agriculture to other lines of work. The social and individual ties which bind farmers to their own work are so strong that it is only by a considerable difference in returns that they are driven to seek other kinds of work; frequently nothing short of actual bankruptcy can make them change. The long-time tendency for agricultural returns to be below those of other occupations may therefore be explained as due to the difficulties involved in making a shift from agriculture to other pursuits.

I can not discuss at length the causes of long-period or general surpluses or the possibilities of avoiding them. It is evident, however, that, in view of the present chronic surplus situation, we must review and possibly reform many of our policies as to agricultural research, extension, and land development. We must also study the effect of our policies with reference to transportation, finance, industry, and consider to what extent such policies may be disadvantageous to agriculture and to what extent readjustments may be made that will contribute to the recovery of agriculture.

As a natural consequence of the increasing complexity of the general marketing problems there grew up the cooperative idea. It has become one of the foremost items of consideration in the minds of those who make agriculture a study.

I want to take this opportunity to discuss briefly the cooperative marketing act of 1926 and the expansion of the department research, educational, and service work in cooperative organization among farmers as provided for in this act.

The recent rapid development of the cooperative form of business organization among farmers has given rise to problems of management, merchandizing, financing, and membership relations and a demand for assistance from research agencies.

Actual experiences and methods evolved in the cooperative business need to be analyzed and studied and explained in plain language in order that they may serve as guide posts for the future.

The cooperative marketing act recently passed by Congress, which authorized the creation of a division of cooperative marketing in the Bureau of Agricultural Economics of the United States Department of Agriculture, enables the department to give the attention to research, educational, and service work for the farmers' cooperative associations which the importance of the movement deserves.

The objectives of the new division, in brief, are to assist in the development of sound and progressive cooperation; to promote efficient operating practices by the associations; and to disseminate information regarding the principles, practices, and possibilities of the movement designed to be of service to cooperative associations already in existence and to farmers contemplating organization.

Research work along these lines will help lay the foundation for the development of efficient cooperative organization. It will also result in the accumulation of a fund of knowledge relating to the principles and practices of cooperation. As the principles which make for success in cooperative business become better understood among farmers, as well as the general public, we may look for a more efficient performance of distribution service by cooperative associations.

It seems to be an American trait to turn to Congress for assistance in nearly all kinds of situations where local agencies fail to bring about reforms. That is one of the natural outcomes of popular centralized government, and since it is a part of our system there is no reason why it should not be done. But students of political science are coming to feel that by depending upon Congress for help a great many effective agencies are overlooked. Too much dependence upon legislation handicaps a cause, for the reason that the creation of a public opinion is neglected; and no movement can be successful, even with legislative backing, unless there is a popular demand for it. In the final analysis the people themselves must carry on the work to make a reform successful. That principle can well be applied to legislation directly affecting the farmer. No amount of lawmaking can cure all the ills of the farmer.

He must do most of the curing by applying medicine of his own. However, there is at the present no means of securing concerted action on the part of the farmers. The only common contact of one part of the country with every other is through the Government, which means through Congress.

During the present Congress there have been some 35 bills introduced proposing means of curing the farmer's ills. Many of them were unworthy of much attention, but there have been a few which have received wide attention and very serious consideration.

It is not my intention to discuss the merits of any of the various farm bills here to-day, because opinion has been so definitely fixed on certain proposals as to make every student of agricultural legislation a proponent of one side or the other. It is well to say, however, that every bill presented has some element of merit. It is another matter to say that any one of them would have been sufficient to bring agri-



culture out of her present depression. Too many people have claimed that the thing could be done by legislation, and legislation alone. I think some legislation will be necessary, and will be eventually enacted.

There are a great many people who are trying to discover a proper legislative program; some of them are doing it for political reasons, some for revenue only, and then there are more who honestly and conscientiously are trying to perfect a solution which will result in lasting benefit to this great basic industry.

No matter what form of agricultural legislation is finally adopted it should have the support of a majority of the farmers, and no proposal thus far has been able to command support even approximating a majority. No measure which has been presented to Congress has had the united support of even the farm organizations. The largest of these organizations, one which has a membership larger than the combined membership of the next two in size, was opposed to the bill which was passed by Congress a few days ago. Nor are the unorganized farmers any nearer an agreement; but if all the organizations had been together on their legislative program it would have represented only about one-fifth of the agricultural population of the country. To date there have been sections against sections, one interest against another, one type of agriculture trying to supersede other types, until it has become a matter of great concern among those who are seriously trying to better conditions that the farmers themselves are unable to agree.

In this connection I want to quote from a tabulation appearing in one of the leading agricultural journals last year from answers to a questionnaire asking, "What do Farmers Want?" The results showed that 31.7 per cent thought cooperative marketing was the greatest need; 14.6 per cent named the solution of the marketing problem; 14.6 per cent named the education of the farmer and the application of business methods to the agricultural industry; 5 per cent named the solution of the farm-labor problem; 4 per cent said it was the removal of the inequalities between agriculture and industry; 4.4 per cent said it was the solving of farm credit. A few scattered opinions gave taxes and lower freight rates. All that goes to show that agriculture is by no means concerted in its legislative program.

Then there is another Federal Government agency where farmers have a common meeting ground for all sections and areas. It is the Department of Agriculture. In this business of readjusting the status of the farmer to place him on an equality with industry the department is taking the lead, and it hopes to weld together the diverging opinions of agricultural workers in order that a concerted effort toward rural betterment can be brought about.

Among the matters of greatest importance which the department is now undertaking, I want to cite such emergency efforts as the eradication of the European corn borer as being one of the biggest pieces of constructive eradication work yet undertaken. Congress has appropriated \$10,000,000, which the department is to spend in the five States around the Lake Erie region, with State cooperation, to rid the country of this most serious pest. In the past few years the department has succeeded in similar tasks, working with livestock diseases, such as Texas fever and foot-and-mouth disease. The present Congress has authorized a \$6,000,000 seed loan, which will be carried on by the department this spring, as a further assistance to those farmers who have felt the pinch of the times and need financial aid to begin their year's planting.

Of course, the work of scientific investigation, experimentation, regulation, and control are being carried on with a steady increase in the sum total of knowledge available on the thousand and one questions which arise concerning those fields of agricultural and allied industries. One of the most important functions of the department at the present time is carried out by the Bureau of Agricultural Economics. Here is centered the investigations which form the basis upon which the problems of supply and demand, price and cost, and of marketing generally are attacked. The work of this bureau is relatively new to agriculture, but it has easily mounted to a place of prime importance as a result of the present agricultural situation; for after all is said and done, the present unequal relationship between agricultural and nonagricultural prices is a matter of economics, and of marketing. A solution must be found which will effect the change, and it is the function of this bureau to meet the situation.

The Federal Government, through the department and Congress, as well as through the executives, is very much aware of its duty to agriculture, and the part it is to play in bringing about the new era of farm betterment. It is the concern of the Government to reestablish this great basic industry and to remodel if necessary the tracks upon which it is to take up the continuance of its journey into the future prosperity which awaits it.

When one considers the things which the Federal Government has been able to accomplish for the betterment of rural America in the last few years, handicapped with strange economic conditions resulting from postwar readjustments, one can realize that the farmer can, indeed, still have faith that his condition is recognized and will be bettered at the hands of Uncle Sam.

Stating it briefly, our Government has provided money to be available for farm loans, it has spent over \$150,000,000 during the last

fiscal year in the regular work of the Department of Agriculture, it has provided for a protective tariff for the farmers which follows exactly, if not actually, to the figure the tariff law proposed by the farm organizations themselves. It has fostered better educational facilities, and has provided for millions to be spent over a period of the next few years for the work of the extension service, including provisions increasing the number of county agents, home-economic workers, and for the promotion of boys' and girls' club work. All this has been done for the farmer by the Government, and much more. But probably the most far-reaching accomplishment is that of the interest which has been taken by those in authority at Washington in the matter of organizations for rural betterment, education, and co-operation in the work of farm affairs. Congress has authorized the expenditure of money to assist cooperative organization, thereby hoping to prove to the farmer that his condition can be greatly remedied by his own hand if given the means.

With the country looking to the farmer for food, with the business of the country depending on him for general prosperity, and with the farmer assured of the assistance of the Federal Government in striving to improve his economic status, we can not doubt the future of agriculture. The bottom of the grade is an unpleasant place to be, but we have the vision of a right of way before us, which is distinctly upgrade, and the obstacles can be removed if they are wisely tackled. The time must come when the farmer can hold the throttle of his own affairs, and travel into the future with the confidence that rural America is destined for better and happier things.

#### REPEAL OF GRAIN STANDARDS ACT

Mr. KVALE. Mr. Speaker, I ask unanimous consent to insert in the RECORD a concurrent resolution of the Legislature of Minnesota for the repeal of the Federal grain standards act.

The SPEAKER. Is there objection?

There was no objection.

Mr. KVALE. Mr. Speaker, under the leave to extend my remarks in the CONGRESSIONAL RECORD, I include the following concurrent resolution of the Legislature of the State of Minnesota:

A concurrent resolution relating to the repeal of the United States grain standards act

Whereas under the provisions of the so-called grain standards act the Secretary of Agriculture was authorized and directed to promulgate and establish rules for the grading of grain, and under this authority such rules were promulgated and established; and

Whereas under the rules so established it has been impossible for producers, and operators of elevators in the country, to properly grade grain to meet the requirements of such rules and to have the grade so fixed maintained at the terminal points because of the many and unnecessary technicalities in the rules; and

Whereas it is a well-known fact that the grading rules for wheat were never based upon the milling value of that commodity resulting in wheat of high-milling value being sold at a low price thereby providing a direct monetary benefit to the millers and a consequently large monetary loss to the producers; and

Whereas the people of this State engaged in agriculture have never been able to secure any modification of these grain grades or any assistance from the Federal Department of Agriculture; Therefore, it is

*Resolved by the house of representatives (the senate concurring),* That the Congress of the United States, now in session, be requested to repeal the said grain standards act at as early a date as it is possible; be it further

*Resolved,* That the secretary of state of the State of Minnesota be instructed to send a copy of this resolution to the President of the United States, to the Secretary of Agriculture of the United States, and to each Member of the United States Senate, and to each Congressman of the State of Minnesota.

JOHN A. JOHNSON,  
Speaker of the House of Representatives.  
W. I. NOLAN,  
President of the Senate.

Passed the house of representatives the 18th day of February, 1927.

JOHN I. LEVIN,  
Chief Clerk, House of Representatives.

Passed the senate the 19th day of February, 1927.

GEO. W. PEACHEY,  
Secretary of the Senate.

Approved February 23, 1927.

THEODORE CHRISTIANSON, Governor.

Filed February 23, 1927.

MIKE HOLM, Secretary of State.

I, Mike Holm, secretary of state of the State of Minnesota, and keeper of the great seal, do hereby certify that the above is a true and correct copy of the resolution filed in my office February 23, 1927.

[SEAL]

MIKE HOLM, Secretary of State.

## SECOND DEFICIENCY BILL

Mr. WOOD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 17291, the second deficiency bill, and pending that I would like to see if we can agree on limiting general debate.

Mr. BYRNS. The gentleman from Colorado [Mr. TAYLOR] has been in charge of the time on this side. He tells me that he has additional requests for about two hours.

Mr. MADDEN. Mr. Speaker, if I may inject myself into this matter, it is very important now that we should dispose of this bill to-day, and every person who wants to debate it ought to cooperate. We are reaching the end of the session and we have a number of important bills yet to consider. We must have the cooperation of every person who wants to debate by yielding some of the time that he wants to occupy.

Mr. TAYLOR of Colorado. I may say that I have cut the most of the requests in two.

Mr. MADDEN. The emergency is great and we ought to meet the emergency wholeheartedly.

Mr. CARTER of Oklahoma. How much time has the gentleman in requests on that side?

Mr. WOOD. I think I can limit the requests on this side to 30 minutes, except the time that I may take in presenting the bill, and I will agree not to occupy over half an hour.

Mr. MADDEN. That would be an hour, and I suggest an hour on each side.

Mr. TILSON. We ought not to have more than an hour on each side.

Mr. TAYLOR of Colorado. I would have to insist on an hour and a half on this side, and then I will have to cut out several who have made requests.

Mr. SNELL. Let me say that there are several important matters that Members are pressing the Rules Committee to get on the floor.

Mr. BYRNS. We could sit a little longer this evening. These gentlemen have all been promised time.

Mr. TAYLOR of Colorado. Why not have an evening session?

Mr. WOOD. Let me say to the gentleman that for those who have asked for time on this side I will ask leave to extend their remarks; and also on that side, too, if we can agree on an hour on each side.

Mr. TAYLOR of Colorado. I have yielded time to probably 100 Members, and I have not spoken myself, and I want to give myself a little time.

Mr. MADDEN. Let us make it an hour and 15 minutes on each side.

Mr. TAYLOR of Colorado. If the gentleman will take an hour and let me have an hour and a half, I will agree to that.

Mr. WOOD. I will do that.

The SPEAKER. The gentleman from Indiana moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill 17231, the second deficiency bill, and pending that he asks unanimous consent that general debate be limited to two hours and a half, one hour to be controlled by the gentleman from Indiana [Mr. WOOD] and an hour and a half by the gentleman from Tennessee [Mr. BYRNS]. Is there objection?

There was no objection.

Mr. EDWARDS. Reserving the right to object, is this the bill that carries appropriations for public buildings?

Mr. MADDEN. It does not.

Mr. EDWARDS. There are only \$35,000 in that bill for all the Southern States.

The motion of Mr. WOOD was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GREEN of Iowa in the chair.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield to myself such time as I may desire to use. As Members of the House are all aware, for the past five days there has been the most bitter and stubborn filibuster conducted in the Senate that has occurred in the past 10 years. I feel that it is appropriate for somebody to tell the House what that filibuster is about, and while it may be rather presumptuous for me to undertake that task, nevertheless I feel impelled, in the interest of the people in the States affected, to at least try to do so. I am going to talk to you more upon the human side of this entire matter than on the technical side, and I hope the House will kindly give me the attention, not that I may deserve as a Member but that that great portion of the United States so much deserves. I feel that your interest in the present and future welfare of the people of nearly one-quarter of the United States deserves and is entitled to your careful consideration.

I am going to talk to you about the Colorado River and the character of stream that it is, and how it affects our people throughout the Southwest. I have a large United States map here before you which shows the river. The red line on that map shows the portion of the United States that is drained by this stream, known as the Colorado River Basin, embracing over 250,000 square miles. I have marked out the seven great States of the Southwest that are so vitally affected by this river. The river itself is about 1,750 miles in length. It is the only large stream in the world that is entirely within an arid region. Every foot of territory throughout that entire region is what is known as a part of the arid portion of the United States. All that portion of the country is compelled to use water for irrigation. The land is comparatively worthless. The land in that entire country is not worth a dollar an acre, excepting as the owner may have water to irrigate it, and the value of the land depends almost entirely upon the priority of his water rights. In other words, it depends upon whether or not the owner has a water right that will give him water throughout the entire season or a water right for only a few weeks or a few months in each year. So that it is the value of the water and not the value of the land that must be borne in mind that is involved in this controversy. One 700-mile-long branch of the river, known as the Green River, as will be seen on the map, rises up near Fremont Peak in the Wind River Mountains in Wyoming. But the main stream rises near Longs Peak in the Rocky Mountain National Park in the State of Colorado. This line that I refer to now represents the Continental Divide. The drainage east of that line is into the Atlantic Ocean, and everything west of that flows into the Colorado River and goes down into the Gulf of California. You can see the proportions of the States that are irrigated by the river and you can see the relative directions which the river takes. The eight great sources of the main stream in Colorado rise at an elevation of about 14,000 feet. Throughout this district in Colorado there are 42 peaks over 14,000 feet in elevation, nearly all of them in my congressional district, and those eight great streams from the western 20 counties in my district furnish 70 per cent of all of the gigantic and terrific floods that go down the Colorado River into the Gulf of California. So that in the way of who furnishes all this water Colorado has by far the largest claim of any of them. The water comes from the melting snows up in the high mountains in western Colorado and flows westerly and down this stream, as shown on this map.

The snows do not commence melting up in those high altitudes until late in the spring, and the result is that along in the latter part of May and June, when the snows begin to rapidly melt in all this high country, the waters come down that river and form a terrific torrent. Those large tributaries of the Colorado, arising at an altitude of 14,000 feet, fall nearly 10,000 feet in my district. Where they cross the western border of the State the altitude is only about 4,000 feet. No one can adequately describe it. It is the most treacherous and most dangerous stream in the world. A great many people are drowned in it every year, because the water is so awfully cold and the stream is so terrifically rapid that a person is helpless when he gets in it. I live right here on the banks of the river in the beautiful little city of Glenwood Springs. I have lived within two blocks of the river for 40 years, and I have always watched it with the greatest interest. You might be interested a little in the history of this river. A Spanish explorer, Hernando de Alarcon, discovered and sailed up the stream in 1540, and not long after that subsequent explorers named it the Rio Colorado. It is a Spanish word meaning red. The lower part of it was named by the early Spanish explorers. Those early explorers never knew how far the river extended up northeasterly, and the result was that the upper part of the main stream and all the tributaries of the river were discovered a great many years later by other people and given other names, so that for over 350 years the lower part of the river was named the Colorado River from the Gulf of California up to the junction of the two largest branches in southern Utah, and then the northern tributary was called the Green and the eastern and main tributary was called the Grande, the Green coming down from Wyoming and the Grande coming from Colorado. When Congress created the Territory of Colorado in February, 1861, there was considerable debate on what it should be called, and they finally decided to name it after the Colorado River, because "the Colorado River rises in its mountains," and because "it is the handsomest name that could be given to any Territory," although that river did not reach within nearly 100 miles of the Territory. It was only on July 25, 1921, that Congress passed a bill, of which I was the very proud author, extending the name of the river from that junction in Utah on up to its head and source on the Continental Divide, in



the Rocky Mountain National Park, so that the Colorado River to-day runs clear from that source down to the Gulf of California. As I say, the value and development of all that great and wonderful domain depends absolutely upon the water of that stream. For this reason, for a number of years our seven Southwestern States out there have been trying to come to an agreement as to a fair division of that water among ourselves. The United States Supreme Court has decided, and the supreme courts of all those States have decided, that the first beneficial use, which is called an appropriation, of the waters of a stream entitles that person so diverting and using the water to a priority right to the extent and amount of his appropriation, as of and from that date, and all other appropriations for any purpose on that stream or any of its tributaries, either above or below, at any time subsequent to his appropriation is a subsequent and junior and inferior appropriation, and subject to all prior appropriations on the stream. So that the doctrine of first in time is first in right applies throughout that entire region, and anyone and everyone who makes a subsequent appropriation on that stream at any point in its 1,750 miles acquires only a right to the quantity of water he appropriates, subject to the prior rights of everybody else above and below.

If appropriations are made on that stream down in California and in Arizona before our four upper States above here are ready to appropriate it, when in the future we reach the time that we want to enlarge or extend our present appropriations, we will not be permitted to do so, because the water will all be appropriated down below prior to us. So that on August 19, 1921, Congress passed an act authorizing those seven States to appoint commissioners and negotiate an interstate agreement called a compact to determine some equitable system for the division of the waters of the Colorado River and all its tributaries as between themselves. In fact the States through various meetings had been considering the matter for several years. They formally appointed the seven commissioners, and they met and worked very hard and earnestly, and on November 24, 1922, they arrived at a final and definite agreement at Santa Fe, N. Mex. All the seven commissioners representing those seven States agreed to and signed that compact. By the terms of that compact the great drainage basin of the Colorado River was divided into two basins, called the upper and the lower basins; Colorado, Wyoming, Utah, and New Mexico were put in the upper basin and were jointly allowed a prior right to the use of 7,500,000 acre-feet of water. An acre-foot of water is the quantity of water necessary to cover an acre of ground 1 foot deep with water. In other words, an acre-foot of water is water sufficient to cover 209 feet square to the depth of 1 foot, so that 7,500,000 acre-feet of water would be a quantity of water sufficient to cover a territory of 7,500,000 acres with 1 foot deep of water. The lower three States of California, Arizona, and Nevada were called the lower basin, and under the agreement were to have a prior right to 8,500,000 acre-feet of water. That 16,000,000 acre-feet of water would be enough to cover this entire District of Columbia about 400 feet deep.

That is the way the total flow of that stream was to be divided between those seven States, according to that Santa Fe interstate compact.

Mr. MORTON D. HULL. And the amount of the water?

Mr. TAYLOR of Colorado. Sixteen million acre-feet of water of the flow of that river for each year was to be divided up as I have stated. By awarding 7,500,000 acre-feet in one lump amount to the upper four States of Colorado, Wyoming, Utah, and New Mexico, to be by themselves divided up between them in such manner as they might be able to agree upon, and California, Nevada, and Arizona, the three lower-basin States were awarded a lump amount of 8,500,000 acre-feet to divide between themselves in such amount and in such manner as they might be able to agree upon. Those were the two great apportionments of the Colorado River by that Colorado River compact.

Mr. COLE. Will the gentleman yield?

Mr. TAYLOR of Colorado. I can not, not just yet. That is the division and apportionment of the ordinary natural flow of the stream in each year. The flow of the river fluctuates a great deal. Some years the flow is as low as 14,000,000 acre-feet, and some years it is over 17,000,000 acre-feet, so the commissioners figured on the normal flow of 16,000,000 acre-feet. That means that so long as our upper four States are not all together diverting and using more than 7,500,000 acre-feet of water the lower three States have no right to complain, and we who live in the arid region all know and every engineer knows and the lower States people acknowledge that we people up the stream can not consume or destroy that water. No matter what we do with that water, it will still run down hill and go to the lower basin. And, moreover,

the more we use that water above the more it stabilizes the flow to our neighbors down below. Our State of Colorado litigated with Wyoming, Nebraska, and Kansas for nearly 20 years over water. And what was the result? Where the Arkansas crosses the State line between Colorado and Kansas for 50 years prior to our irrigation from it in Colorado that river was as dry as a powder house in the bed of that stream for many months every year. Since we in Colorado have during the past 40 years built hundreds of reservoirs and canals, some of them 100 miles long, and used all the waters of the Arkansas over and over again it has soaked into the ground and come out below in springs and has stabilized the flow of that river, until now there is a large stream flowing over the State line between Colorado and Kansas every day in the year.

Congressman TINCER, whose district that is in, said the other day that if Kansas had won that litigation against Colorado and prevented us in Colorado from first using the water of that river, it would have done millions of dollars' worth of damage to Kansas. That is, it would have been a ruinous loss to both States. We have made for Kansas a great and permanent flow. That same thing happened to the South Platte River that flows from Colorado into Nebraska. By turning that water out on the land, putting in the great big storage reservoirs, it has prevented its rapid run-off and stabilized the flow, and we are enormously benefiting those people below. Colorado is the "top of the world." It is the highest State in the Union and my district is the highest district in the United States. There are 12 great rivers that head in Colorado and run north, east, south, and west. That seven-State compact was taken to the States, and the legislatures of six out of the seven States ratified the agreement. Everybody knows that agreement is absolutely honest and fair. It is a practical and just division of that stream as between those two basins. No intelligent and fair-minded person can deny the splendid work of that commission. But the legislature of the State of Arizona refused to ratify that agreement. She refused, not because she objected to the four upper States jointly having 7,500,000 acre-feet and the lower three States jointly being awarded 8,500,000 feet, but because Arizona and California could not agree between themselves as to how they would divide their share of that water. The four upper States promptly ratified the compact and left the division of their share of the water as between themselves to be settled afterwards. And California and Nevada did the same. But Arizona hung back and declined to ratify the compact until she could come to an agreement with California as to how much of that 8,500,000 acre-feet she was going to get, and those two States have never yet come to an agreement.

Of course, the matter of how those three lower States divide that water between themselves is none of the business of the four upper States; and, on the other hand, how we four upper States divide our 7,500,000 acre-feet is of no concern to the lower States. But we know we will agree—we know what is right and fair, and the four upper States will be reasonable and I am sure we will fairly divide our water, without any trouble. But the three lower States have been negotiating for a long time over their respective shares of the aggregate amount of water awarded to them by that compact and because they have not yet come to an agreement, Arizona has refused to ratify either the seven or the six State compact. Of course that is their own local lower-basin affair, but they are jeopardizing the rights of all of us by not ratifying the compacts and dividing their share between themselves afterwards as we upper four States expect to do.

Mr. HAYDEN. Will the gentleman yield?

Mr. TAYLOR of Colorado. I am very reluctant to refuse to yield to my good friend the Senator elect from Arizona. But, as he knows, I am in control of the time of debate on this pending appropriation bill, and I have promised to yield time to six or eight other gentlemen and I am exceedingly anxious to give the House a word picture of this Colorado River situation and the trouble we are having trying to protect the rights of the people of all those seven States.

Mr. HAYDEN. I beg pardon, I have never addressed the House on this subject.

Mr. TAYLOR of Colorado. Yes; I will yield for a brief question.

Mr. HAYDEN. The only question I wanted to ask was, Whether the gentleman believes that the State of Arizona is entitled to a guaranty of a certain share of the water the same as the upper-basin States?

Mr. TAYLOR of Colorado. My dear friend, no one of the four upper-basin States has any guaranty as to how much water she will get. We do not ask for any individual State guaranty. By the compact our four upper States have a

guaranty of 7,500,000 acre-feet to all of us jointly and collectively, and that is sufficient for us to go ahead and ratify the compact and settle our respective shares of that amount hereafter. If any State would not be reasonable, we could go into the United States Supreme Court and settle it. Now, Mr. HAYDEN asks if his State is not entitled to a guarantee from California of her individual share of the water before Arizona ratifies the compact. Gentlemen of the House, do you believe Colorado would be acting in good faith, do you believe my State would appear before this Congress in good grace and with a proper regard for the equal rights of the three other upper or the three lower sister States, if I should stand here now and say to you that because Colorado has not yet gotten an iron-clad guarantee from Wyoming and Utah and New Mexico as to just how much of that 7,500,000 acre-feet Colorado is going to get, we will refuse to ratify the compact and block the whole business? That is all there is to it. That is the attitude of Arizona, and I do not think any one of the upper four States or any one of the lower three States has any right or reasonable excuse whatever to block a great improvement and jeopardize the rights of six sister States and many millions of people because it has not yet obtained a guarantee as to just what share it is going to get out of the lump amount that is awarded to its basin. The main question is the total aggregate amount of 7,500,000 acre-feet to the four upper and 8,500,000 acre-feet to the three lower basin States, and we are willing to take our chances on what proportionate share each of our four upper States will get. And we of the upper basin are not asking any of our sister States to pay us a royalty for the use of their share of the waters of the Colorado River. It does seem to me that that is an unconscionable demand. I say with all the earnestness I can to my friends from all these States that our disputes between ourselves are frightfully dangerous to our mutual welfare. This filibuster against this Boulder Canyon bill is a tragedy. We are juggling with and trafficking in the lifeblood, in the birthright, of many millions of good people now and for all time in those States.

We are being played against each other. If we do not get together and protect our rights in that stream, we will wake up some morning to find that none of us have any rights left.

Gentlemen of the House, in my judgment, the crux of this whole Colorado River controversy is this:

The power companies of the United States came before the Irrigation Committee some two years ago, and they frankly told the committee that they did not want the Government of the United States to build this dam. They said they did not want the Government of the United States to go into the power business in any way or any place, and therefore they were opposed to this high dam construction. They have been opposed to it ever since. Their agents and attorneys are here in Washington now lobbying against this bill; and in my humble judgment there is nothing else under the sun that has prevented the seven-States compact from being ratified or prevented the six-States compact from being ratified or prevented this legislation excepting the influence of the water-power companies of the United States.

Mr. LEATHERWOOD. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Colorado. I beg pardon; but not yet. I want to finish my main statement and then I will yield to questions.

Now, this is the main proposition that confronts Congress. This is the problem. When those seven States came into the Union the Government of the United States, by congressional acts, ceded to them the ownership of all of the water of that river. The people of those States own that water. They own it as a birthright when their States were born. For what purpose? They own it for any and all beneficial uses they can use that water for—for domestic use, for irrigation, for storage, for power, and other uses—because it is absolutely necessary in that arid region. It is our very lifeblood. When those States came into the Union there was put into the enabling acts and into their constitutions, approved by Congress, a clause to the effect that the people of every one of those States should have the sole and exclusive right to all the water within its borders for the necessary development of the country, for the utilization of its people.

Up to this good hour all the water in that great stream does, and always has, belonged solely to the people of those seven States. They are the owners of it now. It is the most priceless possession they have. It is all held subject to appropriation by the people for any of those beneficial purposes. Are you Representatives of the American people in this Congress going to permit our people in those seven States and the future generations in those States for all eternity to continue to own and hold and use this birthright, or are you going to give

it—I say absolutely give it—away without any price or consideration to the water-power companies of this country?

That is the whole question that you must answer by your votes. I say, with every ounce of earnestness in my being, that every one of you have got to line up on one side or the other of that proposition. If we can ever get this bill before the House for a vote, you have got to either vote for those people or for the power companies.

Mr. SPROUL of Kansas. Mr. Chairman, will the gentleman yield there for a short question?

Mr. TAYLOR of Colorado. Yes; for a short question only.

Mr. SPROUL of Kansas. How do you make that statement; how are the power companies interested in that particular proposition?

Mr. TAYLOR of Colorado. My dear sir, I said a few moments ago that that water of the Colorado River is subject to the right of appropriation. There are some 30 power companies that now have made applications to the Federal Power Commission for permits and licenses to build dams and construct power plants on that stream. If all or any of those plants are granted and built, and the water is filed upon and used for power, or irrigation, or domestic, or storage, or any other beneficial purpose a lawful appropriation of that amount and to that extent is made by those companies and by legal permission of the Federal Government and we people up the stream have got to let that water go down to them for that purpose and for all time. In other words, if those power companies acquire these rights that will terminate our development up the stream, they can not take away from us our present vested rights, but they will prevent all future development.

Mr. MORTON D. HULL. Mr. Chairman, will the gentleman yield there?

Mr. TAYLOR of Colorado. Yes.

Mr. MORTON D. HULL. Is the appropriation of water for power of the same validity as the same appropriation of water for irrigation?

Mr. TAYLOR of Colorado. Yes; it is a beneficial use and is entitled to a priority right for that purpose.

Mr. LEATHERWOOD. In the interest of accuracy would the gentleman state, in addition to the statement he has made, that one single power company ever came before the committee and was asked about it by the committee?

Mr. TAYLOR of Colorado. The printed hearings of the Irrigation Committee show that the officials and representatives of several power companies appeared before it.

Mr. LEATHERWOOD. Has one power company or individual ever said that a power company wanted the Government not to build this dam?

Mr. TAYLOR of Colorado. Oh, I can not speak for the power companies and I am not going to be diverted into an argument with the gentleman or anybody else whose attitude has the tendency to support the power companies. I think the Hearst papers and the Scripps-Howard papers are telling the truth about the filibuster against this bill and who is behind it. I do not mean to charge the gentleman from Utah with supporting the power companies; but I say anybody who prevents this bill from going through, anybody who prevents the Government of the United States from building that dam, obviously tries to prevent the holding by the Government of the whip hand on that stream. That is what we want. We want Uncle Sam to build that dam and forever own it and control it, but not to go into the peddling or retailing of electrical power. We want the United States to control that river and its waters for all time and justly and fairly divide that water between those seven States and their cities and people. We want Uncle Sam to be at the switchboard and when it comes to allocating the power, to say where that power shall go, to allocate it equitably among those seven States; and we do not believe any power company is big enough or fair enough or honest enough to treat them all fairly, as the Government of the United States would. That is the situation. It is a question of who shall own and control the river and the power and regulate its use. The Colorado River is a great international stream, the most valuable stream in the United States. It is the Nile of America. More lives and more development to our States and to our country depend upon that stream than any other under our flag. It is worth more to our country than the Panama Canal. Would any decent citizen of the United States advocate turning the Panama Canal over to some private corporation to own and control and give it away for nothing? In my judgment that would be no more unpatriotic, disloyal, and despicable than it is to advocate giving away the Colorado River.

I am not in favor of the Government engaging in any ordinary business. But I have no patience with or respect for the hypocritical cant of the representatives of the power interests when they want to grab the Colorado to "keep the Government



out of business." Whenever an enterprise is not at all profitable, like the irrigation reclamation projects and the Cape Cod Canal and ten thousand other lines of business the Government is in every day, that is all right. But whenever there is big money in it and a fine chance to soak the people, then it is a horrible thing for Uncle Sam to protect them.

Let me emphasize to you that this is a one hundred times bigger proposition than the Muscle Shoals. This Gulf of California originally extended about 150 miles farther north, up into California; it was 1,000 feet deep; this Colorado River came into the side of it and filled it up, and that left a great inland lake there, very deep; then, at various times, the river broke back into it and kept filling it up. It would evaporate and then be filled up again. The soil in the Imperial Valley is 600 or 800 feet deep, of rich loam soil. It has filled up that old Gulf of California until to-day it is only 250 feet below sea level. If you can imagine this room as being the Imperial Valley, the Colorado River runs around it like that gallery, and it runs on a high delta of shifting sand. Why, gentlemen, any one of you could take a shovel, and—if you were not prevented from doing so—you could, in high water, turn that great river into the Imperial Valley and utterly ruin that entire valley. They are 250 feet below the ocean, and there is no solid foundation anywhere in that country. This river has been meandering around all over that country for millions of years. It is all sand or silt, as they call it, because the river falls so much that it grinds the rock into sand and mud, and the river down here [indicating on map] is one of the muddiest streams you ever saw.

Mr. GARBER. Will the gentleman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. GARBER. How long has the Imperial Valley existed there?

Mr. TAYLOR of Colorado. The Imperial Valley has probably been there for several million years. The Colorado River is the most interesting river in the world. There are something like 300 books and works of various kinds written about that river. They are fascinating reading. One author says that it has taken 40,000,000 years for the stream to cut out its Grand Canyon of the Colorado in Arizona.

Mr. GARBER. I am asking this solely for information. Mr. Hoover was a member of the commission, was he not?

Mr. TAYLOR of Colorado. Yes. He was ex officio chairman.

Mr. GARBER. In view of the conflicting claims of the several States, did not Mr. Hoover take the position that before Congress could appropriate money the States would have to ratify and enter into a compact?

Mr. TAYLOR of Colorado. No; Mr. Hoover is in favor of this bill. He has stated time and again he is in favor of it. Secretary Work is in favor of it; President Coolidge has in three or four messages to Congress said that he was in favor of it, and I think everybody else is in favor of it, unless it is somebody who is in sympathy with the people who do not want the Government to control the power.

Mr. LAZARO. Will the gentleman yield for a question?

Mr. TAYLOR of Colorado. Yes.

Mr. LAZARO. Will the gentleman tell the House how much this dam will cost, how the money is to be raised, how it will be paid back, and how long it will take?

Mr. RANSLEY. And will the gentleman also state, which I believe is the fact, that as far as flood control is concerned it can be taken care of for \$22,000,000?

Mr. TAYLOR of Colorado. I will try to answer these two gentlemen together. The gentleman from Louisiana asked me how much this will cost. In order to properly control the floods of that frightfully torrential stream they have got to build the dam high enough to at least practically hold and control the entire flow of the stream for a year. In other words, they must build the dam high enough to hold at least 18,000,000 acre-feet of water, and it ought to hold 26,000,000 acre-feet. The flow of the stream is very irregular both in time and quantity. The engineers say that the practical way to do that is to build a dam at this elbow at Boulder Canyon, and build it 550 feet high—as high as the Washington Monument. In that way it will back the water up the Colorado River about 50 miles and also up the Virgin River, a tributary, about 50 miles more, and it will make a reservoir large enough to hold the entire flow of the stream for 12 months, even if there was not any going over the dam.

They feel it is necessary to do that in order to control the water. Furthermore, because the river carries so much sand, mud, and dirt they have got to have a settling pond big enough to hold from 80,000 to 100,000 acre-feet of mud every year. So it has got to be a very high dam and an enormous reservoir. I am not going into detail about this—the dam will cost \$41,000,000—but California wants to also build an all-American

canal. They want to do that principally for this reason, and it is a very good reason.

Mr. TYDINGS. Will the gentleman yield for a question?

Mr. TAYLOR of Colorado. Yes; I yield to the Senator elect from Maryland.

Mr. TYDINGS. How many people live in the Imperial Valley?

Mr. TAYLOR of Colorado. Over 60,000.

Mr. GREEN of Florida. What is the area in length and breadth?

Mr. TAYLOR of Colorado. About 50 miles long and 20 miles wide. It is the richest spot on God's footstool.

They raise a crop every month in the year. They have seven cuttings of alfalfa a year. Owing to the black-loam soil, being several hundred feet deep, that has washed into that valley for centuries and the hot weather nearly all the year, it is a wonderfully rich spot. This is the way they irrigate it. They take out a very large canal in the United States, and because there is a great high sand mountain right there in the southeast corner of California, rather than run through that high mountain they go around it down into old Mexico; they run down around that sand mountain about 60 miles in Mexico then back up into the Imperial Valley and make a great big letter S. For the mere privilege of running that canal through Mexico, Mexico compels the people of the United States to give them one-half of all the water that the canal carries practically free. In other words, they take out of the canal as it passes through Mexico half of all the water we divert out of our own river in the United States through our own canal to irrigate our own land in the United States. They take that water for the mere privilege of running through their country. But that is not the worst of it.

As a matter of fact, I will not call it stealing; but as the canal passes through Mexico, somehow or other they seem to get away with a lot more than the one-half they are entitled to, and it is impossible for us to go down there and regulate those people. There are a hundred good reasons for building the all-American canal.

Mr. CARSS. Will the gentleman yield?

Mr. TAYLOR of Colorado. I yield to the gentleman for a brief question.

Mr. CARSS. I am favorable toward the gentleman's project, but I think he is overlooking something on this point. The Mexican people are now appropriating water for irrigation purposes, are they not?

Mr. TAYLOR of Colorado. Yes; they are using a lot of water that we make it possible for them to get without exerting much energy.

Mr. CARSS. And under the rule with respect to priority rights, if they take that water, it will be forever lost to the people of the United States.

Mr. TAYLOR of Colorado. Yes; they are using water that they will claim gives them priority rights; and the longer we wait, the more water they will claim.

Mr. MONTAGUE. Will the gentleman yield for a question?

Mr. TAYLOR of Colorado. I am sorry, but I must decline to yield further. I want to describe our conditions on that river and I must not take up much more time of the House, so I can not continue answering questions.

What California wants to do is to construct a canal here [indicating] and cut through this sand mountain over into the Imperial Valley, build an all-American canal, and get away from the 50 per cent which they have to give Mexico and get away from all the trouble with Mexico and keep it on American soil, and irrigate not only the Imperial Valley but some 200,000 or 300,000 acres more land in that valley and adjoining it, and which they can irrigate with this kind of a canal.

This canal will cost \$31,000,000. But the water users under that canal will bond themselves to the Government to repay every dollar of that in just the same way that they do on every other reclamation irrigation project throughout the West.

This bill provides in its terms that the Government of the United States shall not turn one shovelful of dirt until either the city of Los Angeles or the power companies themselves shall guarantee to take all the power that this dam affords at such a figure as will amortize it all and pay back to the Government of the United States every dollar that it costs. The cost of the dam is \$41,000,000 and the canal \$31,000,000, and the electric power about \$30,000,000, and the rest of the \$125,000,000 is for interest. So that the Government does not take a particle of chance in this matter of either the dam or the canal; it will all be paid back to the United States, and the Government will own the dam absolutely free in 30 years, and the people of the Imperial Valley will own the all-American canal. That is precisely the proposition involved.

Mr. MOREHEAD rose.

Mr. TAYLOR of Colorado. Yes; I will yield to the former Governor of Nebraska for a question.

Mr. MOREHEAD. The gentleman answered the question I intended to ask. I wanted to ask the gentleman who would own the dam.

Mr. TAYLOR of Colorado. The Government of the United States would own the dam under this bill and control it, but if you turn the river over to the power companies, the power companies will own it all forever, and we who are up the stream, when we want to take out a ditch or build a reservoir or use the water in any manner, will have to not only get permission from the private power companies, but we will have to pay them such royalty as they may demand for that purpose. That is the difference involved.

Mr. COLTON. Will the gentleman yield?

Mr. TAYLOR of Colorado. Yes; I will yield to the gentleman from Utah. He and I live in adjoining counties.

Mr. COLTON. I am interested in what the gentleman says and agree with much that he has said. I would like to have the gentleman, however, at this point discuss this question. If the Government sells its power and guarantees to deliver it to distributing agencies, will it not thereby demand the flow of the river in order to guarantee that power, and really acquire rights by appropriation?

Mr. TAYLOR of Colorado. No, sir. If the Government builds it under this bill, it builds it subject to the Colorado River compact, the interstate agreement; and it does not deprive the upper States, your own State or mine, of the rights we are entitled to hereafter when we come to develop our lands. We will always be able to get and to use that 7,500,000 acre-feet without asking the permission of any power or other companies down the river.

Mr. LETTS. Will the gentleman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. LETTS. Does Mexico have any natural right to the flow of this water—

Mr. TAYLOR of Colorado. No. Mexico has no legal right.

Mr. LETTS. Which will involve us in any international questions?

Mr. TAYLOR of Colorado. No. This is an international stream and we have a treaty with Mexico about it, but the longer we wait and the more land they bring into cultivation and use our water on it down there, the more complicated it will become for us.

Mr. LETTS. Is this in line with our treaty?

Mr. TAYLOR of Colorado. Oh, yes. We are not violating the treaty. The Attorney General of the United States has held that Mexico has no legal or international claim to any of that water as against this country. Our country is sovereign. Practically all but the mouth of that river is in this country. This water comes from our country, and we have the right to use it all if we will go ahead and use it, but the trouble is we fight among ourselves while Mexico is acquiring possible rights to this stream and bringing under cultivation large quantities of new land down below the boundary line every year. This land in Mexico that is irrigated by this river is nearly all owned by American citizens.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. WILLIAMSON. Does not the gentleman think we should write into the bill a reservation, definitely reserving this water as against Mexico.

Mr. TAYLOR of Colorado. Oh, I do not care to get into a discussion of international law. It is not necessary. But in reality that provision is in the bill.

Gentlemen, the proposition is this: We have not yet agreed among our seven States as to how that water shall be divided among us, but in the aggregate it all belongs to us and we do not want Congress to turn it all over to private concerns while we are arguing the matter among ourselves.

The power companies came before the Irrigation Committee and offered to put up \$30,000,000 or \$40,000,000 a year and build all the dams necessary and all the power plants and transmission lines, and so forth, if we would permit them to take over the stream and build these dams themselves; but in order to do that they want Congress or the Federal Power Commission to absolutely give them the river for nothing. Why, my God! that river is worth at least \$10,000,000,000 this minute, and will be worth many times that in the years to come.

If the Federal Power Commission permits these dams to be built by the private power companies, you will make a few distinguished gentlemen billionaires at the expense of every man, woman, and child in all those seven States—one-fourth of the area of the United States, for all eternity. You are voting on not only their right and hopes of development but on the very lives and blood and happiness and existence of all the

people of that great region. It is a question of whether you protect the rights of these inhabitants or whether you turn them over bound hand and foot to private concerns, and nobody can camouflage or smoke screen or minimize that proposition, because that is just exactly what it means.

The power companies are not going in there and build this dam unless they have the full right given to them by Congress or by the Federal Power Commission to do it, and if they do that, they acquire priorities against all of us up the stream.

Mr. MAPES. Will the gentleman yield for a question?

Mr. TAYLOR of Colorado. Yes; I yield to the gentleman from Michigan.

Mr. MAPES. Personally, I should like to have the gentleman amplify his statement that there is no way the Federal power act can operate here without making an appropriation of the water to the power companies as the gentleman has stated?

Mr. TAYLOR of Colorado. The power companies will not put a hundred million dollars into power plants unless they have the absolute right to the water necessary to run them. That right is a legal appropriation and a permanent right, or at least it will run for 50 years.

Mr. MAPES. And that involves a permanent appropriation of the water?

Mr. TAYLOR of Colorado. Yes. If the power companies obtain a right to build a dam 550 feet high, we people up the stream can not prevent the water from running down by using it above. It is a question of priority of use. If the Government of the United States owns that, they will do this: They will say to every one of those seven States, "You are entitled to a fair and equitable division of this water." Even the city of Los Angeles alone right now is applying for it and is in need of it. I see where they make a filibustering statement in another body that there is no demand for this power. There was never anything more brazenly false than that. The city of Los Angeles offers now to take all the power we can generate and pay every dollar back to the United States in 30 years if we want to give it to them alone, because they need it.

Mr. COLTON. Will the gentleman yield for one more question?

Mr. TAYLOR of Colorado. Yes.

Mr. COLTON. It is contemplated in a way that the Federal Power Commission shall act under the provisions of the six-States compact.

Mr. TAYLOR of Colorado. They do not have to.

Mr. COLTON. An amendment will be offered to that effect.

Mr. TAYLOR of Colorado. We have not been able yet to ever get a hearing or consideration of this bill or any bill concerning this matter before this House, and it looks now as though we were not going to get any at this session of Congress. This is the idea: The power companies will not put any money into it unless they have the stream turned over to them, and if the stream is turned over to them they do not have to recognize any seven-States compact. They will insist upon the water coming down to supply their plants all the time. It would be utterly ruinous to the people of the upper States if the power companies obtain these rights on the river before we come to an interstate agreement and then compel all power plants to take their permits and licenses subject to that agreement.

What we want is for Uncle Sam to build both the dam and the power plant, and own and operate both, and then say to all power companies and everybody else, If you want to buy power at the switchboard at this time, you or the city of Los Angeles or any other city or anybody else, Uncle Sam will sell it to you. In other words, the Government will not go into the transmission or retailing of power but wholesale it, and who ever wants to take it will have to furnish their own transmission line and buy it at the switchboard.

In other words, this bill involves four matters. I see that the morning administration's paper continuously cartoons Muscle Shoals and the Boulder dam as two large white elephants.

Let me say to you that Muscle Shoals is one of the greatest power propositions in the world and that is all there is to it. It has no value for domestic use or irrigation or for flood control and saving lives, while the Boulder dam is primarily to protect the lives and property of 60,000 people living in the Imperial Valley, whose property is so rich that they send out \$65,000,000 of food products every year. No other spot in the world compares at all with it. But it is 250 feet below the sea level with an enormous raging torrent flowing above it and they are protected only by sand dikes and these people are desperately trying to keep up the dikes and protect themselves and their property.

We have spent over \$200,000,000 in building dikes on the Mississippi River to protect the people and their property in that valley, and nobody ever expects any of that money to be paid



back to the Government and it ought not to. The Government owes a solemn obligation to these people to build that dam, and build it 550 feet high—the highest dam in the world—to protect them from inundation. That is the first object of the dam and of this Swing-Johnson bill.

The second object is to stabilize the flow of the river so that the enormous quantities of water that are now going to waste may be utilized for domestic use in the cities in southern California, where they must have this water or they can not live and increase the population as they are now doing. The third most important matter is the use of water for irrigation in all those seven States. But that use can only be realized by the execution of an interstate agreement to allocate that water equitably between all the States in compliance with the terms of both the seven and the six State compact. There are some 6,000,000 acres of land in those States that within the next 50 years will be irrigated from this stream if we can hold the stream in the possession of Uncle Sam.

Mr. FUNK. Will the gentleman yield?

Mr. TAYLOR of Colorado. For a brief question.

Mr. FUNK. Will the gentleman give us any reason why we should appropriate millions of dollars out of the public Treasury to increase the farm products surplus. Why should I vote to appropriate money out of the Treasury to increase the surplus?

Mr. TAYLOR of Colorado. In the first place Congress is not asked to appropriate a dollar that will not be paid back. And they must have that guaranty before a dollar is spent. Secondly, there will not be any surplus. It will be from 50 to 75 or 100 years before this land will all be irrigated, and none of it can be irrigated before that dam is completed, which will take five or six years yet; and, thirdly, the crops that they raise in that hot Southwestern country are not the kind you raise in Illinois, and moreover their main crops mature at a time in the winter, or February and March and April when they do not compete with any other place in the United States.

Mr. WINTER. Did not Secretary Jardine say at a reclamation conference that in 10 years from now there would be need for more land to be brought into cultivation in order to feed our own people?

Mr. TAYLOR of Colorado. Yes; the gentleman from Wyoming is correct. The way all the cities are growing there will soon be a very greatly increased demand for all farm produce. I will say to the gentleman from Illinois that I am not concerned about or fighting for a present increase of acreage for agriculture, but I am doing my utmost to preserve a birthright for our children and our grandchildren in these four States to bring more land in cultivation whenever the need or want is, and I do not want them to be compelled to pay a royalty to a private power company down at the mouth of the Colorado River for the privilege of doing so. [Applause.] Gentlemen, I can not understand how any red-blooded American citizen under our flag can object to preserving the Imperial Valley—"God's hot-house"—and preserving to all the people of all those States their sacred and God-given property rights. Power rights ought to be its fourth and last consideration; while power is of fabulous value in necessary development of that country, yet is in reality only incidental to the building of that necessary high dam and the control of that mighty river. If I may repeat, it does seem to me that this is such a humane undertaking that no fair-minded citizen of our country can object to it. The people of that valley are liable to be destroyed this very year. Southern California has practically no other source of water supply than this. Southern California, including the cities of Los Angeles and San Diego, are increasing at the rate of 150,000 people a year. They have practically reached the limit of water to drink, and they have got to take the water of this stream over the mountains to furnish domestic water for southern California; and the only way they can do that is by putting in this dam and stabilizing the flow and taking it out regularly and preventing all this gigantic quantity of water going to waste in the Gulf of California.

The ultimate irrigation of the vacant arid lands in those seven States, and lastly the power possibilities. It is because they want to own the river and control it and build and control the power plants and the transmission lines that the power companies are preventing this most important development ever undertaken by Congress and causing us all this trouble. They loudly shout that they do not want the Government to go into the power business. That is a hypocritical and false pretense, because they know the Government is not going into the power business. What the power companies want is to own that river and control it, and to exact tribute upon all future development in those States. That is the basis of all this filibuster over in the Senate.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Colorado. Yes, certainly; I would never refuse to yield to the former Governor of Illinois, my old University of Michigan classmate and roommate and boyhood chum.

Mr. YATES. I would like to know what the expense of the Government would be under this proposition.

Mr. TAYLOR of Colorado. The amount of money authorized to be spent in the bill is \$125,000,000. But none of it can be spent until the Secretary of the Interior has guaranteed contracts for the positive repayment of every dollar of it. There is an urgent demand right now for every particle of power that can be generated just as soon and as fast as it can be produced, and at a figure that will repay to the Government all of that outlay and interest at 4 per cent within less than 30 years.

Mr. COLE. Will that be the limit of cost?

Mr. TAYLOR of Colorado. Yes; and Uncle Sam will not lose a dollar of it. One hundred and twenty-five million dollars is the total amount for building the dam and the power plant and the all-American canal, all three.

Mr. COLE. Is there a specific appropriation for that?

Mr. TAYLOR of Colorado. Yes. The bill specifically authorizes an appropriation of that expenditure upon the conditions I have stated. The money will be appropriated by Congress along from time to time as the work progresses.

Mr. KVALE. A short time ago the gentleman spoke about selling the power at the switchboard.

Mr. TAYLOR of Colorado. Yes. That is the intention; and sell it to cities, or power companies, or anybody who wants to buy it.

Mr. KVALE. I am in entire harmony with the idea. In that case, would not the Government be guilty of price fixing?

Mr. TAYLOR of Colorado. Oh, no. The bill requires the Secretary of the Interior to sell it at a fair price to return the cost to the Government. We are turning it over to the Secretary of the Interior to decide as to how he will sell it wholesale and allocate it. The Government has no desire of making money out of it, but to make it reimburse the Treasury for its cost.

Mr. KVALE. I want the Government to do the price fixing. I would say to the gentleman, but I want it to be understood that it is price fixing.

Mr. TAYLOR of Colorado. The Government will, of course, fix the price at the switchboard, but there is no intention of having the Government follow it any further. We do not want the Government to go into the power business, but we want the Government to hold on to that river and the dam and the plant and control them for the benefit of all the people. We want the Government to be the boss in this enterprise.

Mr. KVALE. I am more than willing that the Government shall be the boss.

Mr. PEERY. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. PEERY. What about the diversion of water where it goes through Mexico?

Mr. TAYLOR of Colorado. The present canal that irrigates the Imperial Valley goes out of the United States where it heads and goes down around here 60 miles through Mexico and then comes back into the Imperial Valley. We want to rebuild that canal and keep it all in our country.

Mr. PEERY. Is it proposed to divert all of the water from Mexico?

Mr. TAYLOR of Colorado. Yes. We are proposing to take away from them what water we are now giving them merely for using the right to run through there.

Mr. PEERY. There is a treaty about that?

Mr. TAYLOR of Colorado. No. The present arrangement of giving them half of our water for a right of way is not a treaty? It is an agreement—that is, just a permit—we have had to give it to them in order to run our canal there. If we did not run the canal there, we would not have to give it to them. The construction of the all-American canal will not involve any complications. We have a perfect right to do that.

Mr. PEERY. Then you are not diverting water from its natural course?

Mr. TAYLOR of Colorado. No. We want to build a dam in the United States and a reservoir big enough to hold and control all the flow of that river and have the right to take it out when and as we please, and in such quantity and at such time as we need and want to, and we will take out only as it is needed to supply power and for the domestic use in the cities that need it and for irrigation as that is needed. If we do not want to take it out, we can shut it down and not take out any. In other words, we will control it, and if we do not want to give Mexico any water we do not have to. It is our water and it is from our country. If Mexico expects to continue to get it for nothing, she will probably be disappointed. Mexico does not furnish

any of it. It is our river, and I am in favor of having Uncle Sam hold on to it.

Mr. WEFALD. If this becomes a law, is there any danger that the Government will ever surrender and sell out to power interests?

Mr. TAYLOR of Colorado. I hope not. But we will have to cross that bridge when we get to it, but I am not willing to start out by giving it away.

Mr. WEFALD. As the bill is now, it is safeguarded?

Mr. TAYLOR of Colorado. Yes. We have safeguarded it the best we possibly can. It is in the discretion of the Secretary of the Interior.

Mr. MOREHEAD. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. MOREHEAD. I am very much in sympathy with the statement and in favor of the Government ownership of land, but I want information as to the feasibility of it, and whether the inflow of mud would be so great that it would be a failure.

Mr. TAYLOR of Colorado. Oh, no. If they build the dam 550 feet high, as they should at the Boulder Canyon, it will make a reservoir of many thousands of acres and that will be a great settling basin that will hold all the mud for many years. But some suitable time, of course, they will have to flush a lot of the mud out of there, probably every 10 or 20 years. The engineers have very fully considered that matter. We have had something like a hundred of the best engineers in the world who have been going over this thing for 10 years. They say that it is perfectly feasible. The character of the engineers that have examined this project is an absolute guarantee of its entire practicability, and anyone who says that it is not, does not know what he is talking about.

Mr. COLE. The gentleman has stated that the total cost of this improvement would be \$125,000,000. I have heard intimations that the Government is committing itself to a proposition that will ultimately cost at least \$250,000,000 and in some places as high as \$500,000,000.

Mr. TAYLOR of Colorado. Oh, that is interested knocking. The gentleman can hear all sorts of things against this project from the paid lobbyists of the power companies here, and if he will trace them back he will find that they come from one source. As a matter of fact, the Government engineers, the best we have in the world, Mr. Hoover among them, have estimated the total ultimate cost at \$125,000,000, and they have gone over it time and time again and have made thousands of borings and have found the bedrock; and at this place there is a perfectly natural gorge where they can put in a wedge and back the water up two valleys for 50 miles and many miles wide. It is an ideal reservoir site.

Mr. KEARNS. How is the \$125,000,000 to be repaid?

Mr. TAYLOR of Colorado. It is to be paid by a guarantee before we ever start to build. It is to be repaid by the people who use the water and the power, and they have to enter into contracts for that purpose and to that amount before we ever commence to build the dam.

Mr. KEARNS. They are to pay water rent?

Mr. TAYLOR of Colorado. They must pay cash—real money—and by kilowatt power. The city of Los Angeles alone is willing to take it all if the Government would let her, and they need it all, too.

I want to say before I conclude that on the 18th of this month I introduced a bill, H. R. 17220, as follows:

A bill restricting the Federal Power Commission from issuing or approving any permits or licenses affecting the Colorado River or any of its tributaries

*Be it enacted, etc.,* That the Federal Power Commission is hereby directed not to issue or approve any permits or licenses under the provisions of the act of Congress approved June 10, 1920, known as the Federal water power act, upon or affecting the Colorado River or any of its tributaries, in the States of Colorado, Wyoming, Utah, New Mexico, Nevada, Arizona, and California, until and unless the Colorado River compact, signed at Santa Fe, N. Mex., November 24, 1922, pursuant to act of Congress approved August 19, 1921, has been approved by the Congress of the United States, or in the event that said compact is not sooner approved, until March 5, 1929.

I am trying most desperately hard to pass that bill before this session of Congress adjourns; and I actually believe I am going to do so and that it will be a law one week from to-day in exactly that language. Because everyone who is honestly in favor of giving those States a further chance to reach an agreement and protect this greatest property right they have must be in favor of holding the matter in abeyance for at least two years more for that purpose and preventing the power companies from grabbing it in the meantime.

Mr. LA GUARDIA. Will the gentleman yield?

Mr. TAYLOR of Colorado. I will yield to the gentleman from New York.

Mr. LA GUARDIA. Is it not true that all of the engineering problems and all the financial problems have been solved and it is now only up against a sordid, selfish opposition?

Mr. TAYLOR of Colorado. That is absolutely correct. Every possible angle of the whole Colorado River situation has been exhaustively investigated—engineering, financial, and every other phase of the matter. There is utterly no honest reason or excuse for any further investigation or delay. Any effort or pretext of that kind is a brazen smoke screen for the power companies. The proposition is now a plain question of whether Congress is going to honestly protect this great property of the people of those States, property which everyone admits they now own, or is Congress going to turn it all over forever to the water-power companies, or authorize or permit the Federal Power Commission to do so. That is all there is to it.

Mr. BRIGHAM. Is there a market in the city?

Mr. TAYLOR of Colorado. Oh, yes; the city of Los Angeles alone is willing and anxious to contract right now for all of the power that dam will produce. That is the reason the power companies are fighting this bill. They are two-faced. They say the Boulder dam project is necessary if privately owned, but wholly unnecessary if Government owned. Read the editorial in the Washington Times of February 23, also the editorial in the Washington Herald of February 21, entitled "Two Members of Congress block Boulder dam bill," and many more editorials in hundreds of fair-minded papers throughout the country. A short editorial in the Washington News of February 22 is a fair illustration of the sentiment of the un-power-controlled press of the country on this filibuster in the Senate and our inability to get a hearing in the House, which amounts to the same thing, as follows:

#### WHOSE WORK?

Who elected the Senators? Whose work are they doing?

The next day or two will tell the tale.

Boulder dam is the business under consideration. There are just two sides to this question. One is the side of the people. The other is the side of the power companies.

Senator HIRAM JOHNSON says: "The real opposition to the Boulder dam bill, the opposition that denies the power of the United States to do as it pleases with its own property, the opposition that would let 60,000 men, women, and children in Imperial Valley die before it would permit relief, the opposition that is standing like a lion in the path to prevent any action here is the opposition of the power corporations."

The power corporations of the United States represent wealth totaling \$7,000,000,000.

They are a unit against this measure.

Seven billion dollars is a staggering amount of money, yet it is insignificant compared with human life.

Seven billion dollars on one side of the scale, 60,000 people on the other. The Senate will determine which shall weigh more.

There can be no equivocation. Any action that prevents a final vote on this bill is an act in behalf of the power companies.

Filibuster, delay, failure to face the issue, are acts that condemn the people of Imperial Valley to live under the shadow of death.

Two sides. Can the Senate hesitate?

I might insert a hundred other equally forcible editorials condemning the Senate and the House for preventing or failing to act upon this bill. They practically all say that "since the completion of the Panama Canal the Nation has faced no bigger nor more important task than the building of the Boulder dam."

Mr. ARENTZ. If the gentleman will permit, Nevada feels like Colorado. In time the mineral resources will be depleted, and when that time comes it will have this great inheritance and income for that State and people. When those lands need development the water will be there to put them under cultivation, and that is what Colorado and Nevada want. And the only way that can be done by the Government is by keeping its hands upon these great natural resources and control them for all time. [Applause.]

Mr. TAYLOR of Colorado. Yes; the gentleman from Nevada is perfectly correct. If we western Members could only get the Members of the Senate and House to understand the situation, I know they would not go wrong.

I am going to insert another brief editorial from the Washington Herald of last Tuesday, which clearly states the present condition we are in, as follows:

#### BREAK THIS BLOCKADE AND LET BOULDER DAM GO TO A VOTE

The next few days will determine for this session the fate of the most important constructive piece of internal legislation before Congress and the country—Boulder dam.



Speaker LONGWORTH's declaration that the Swing-Johnson bill, hitherto pocketed by the Rules Committee, should have an open decision on the floor of the House, is another of many signs of his intelligent leadership.

The Democrats in the House have indorsed the bill and undoubtedly, if they get the chance, a great majority of the House Republicans will stand with President Coolidge and the Speaker in its support.

There is no visible opposition to the bill except that of certain Senators and a handful of Representatives who apparently share the bitter antagonism of the Power Trust.

Never was an issue between the public welfare and a selfish special interest more clearly drawn.

The question is whether the Power Trust, through its indefatigable lobby, can prevent an open vote.

There could be no more dangerous perversion of free government than to let such a blockade win.

Since the completion of the Panama Canal the Nation has faced no bigger nor more important task than the building of Boulder dam.

The proposed dam would be twice as high as any now existing. Its power house would generate twice the amount of electricity now proceeding from a hydroelectric installation in this country.

The flood waters controlled by the dam would create a reservoir 86 miles long, holding enough water to cover to a depth of 1 foot 26,000,000 acres, or the combined area of New Hampshire, Vermont, Massachusetts, Connecticut, and New Jersey, with the District of Columbia added.

The all-American canal would insure ample irrigation of the 400,000 acres now under watered cultivation in the fertile Imperial Valley and bring some 700,000 additional acres, now arid, to fertility as needed.

In addition to the wealth of power and water control for domestic purposes and agriculture, the completed project would protect the lives and property of the 60,000 people now living 100 to 200 feet below the level of the Colorado River—both threatened every time that river rises to flood.

And under the plan of the pending bill Uncle Sam will get back with interest every dollar he advances—Federal taxpayers will not have to spend a penny.

These eastern papers only consider the one phase of the problem; that is, the protection of the Imperial Valley. But to us people in the upper four States our priority rights to the future use of the waters of the river and its tributaries for domestic, irrigation, power, and other purposes is the vital and all-important matter we must protect. And let me say to my good personal friends from California, Utah, and Arizona, and some from Colorado, if you succeed in preventing our States from consummating a fair adjustment of this Colorado River problem and prevent the Congress from letting the Government of the United States build and own and control this dam the present and all future generations of the people in those States for a thousand years will be execrating you and paying tribute to these companies by reason of what I look upon as a most deplorable lack of judgment or of loyalty to the welfare of the people we represent. [Applause.]

Mr. BARBOUR. California is wholeheartedly for this.

Mr. TAYLOR of Colorado. Yes; but I feel that this whole trouble might have been avoided if California had unconditionally ratified the six-State compact.

Mr. WINTER. California is in this bill.

Mr. TAYLOR of Colorado. Yes; California is with us now, and I am glad of it.

Mr. WINTER. Is there anything in the law now to prevent the Federal Power Commission from granting 25 permits on that river?

Mr. TAYLOR of Colorado. No; that is the reason we have imperatively got to pass my bill preventing them from doing so for at least two years. Because the power influences are constantly bringing terrific pressure to bear on that power commission to grant them permits, and, as a matter of fact, our States have not been getting together the way we should and the Irrigation Committee and Congress have been stalling around this matter for 10 years.

When I was chairman of this Irrigation Committee I went down to the Imperial Valley and examined this matter, about 10 years ago, and I reported favorably on this project, including the all-American canal, and several other bills have been reported since, but nothing definite or constructive has ever been done by Congress. I repeat to you that the power companies, in my judgment, have been solely responsible for preventing the execution of both the seven-State and the six-State compact, and have also all these years prevented Congress from granting this relief.

Mr. ARENTZ. If the power commission gives these rights to 25 or 30 applicants, whoever files for this water, when Colorado, Utah, Wyoming, New Mexico, Nevada, and Arizona

need water for these lands, and the Indians need water for an Indian reservation, they would not get it.

Mr. TAYLOR of Colorado. No, sir. You can bet your life they will not get it without paying the power companies for it if Congress or the Federal Power Commission turns the whole river over to the power companies.

Mr. LAGUARDIA. Hence, the opposition?

Mr. TAYLOR of Colorado. Certainly. It is as plain as the noonday sun.

Mr. KEARNS. If the power companies get these rights, they only get them for 50 years?

Mr. TAYLOR of Colorado. Oh, my dear sir, 50 years means forever in this case. And the only way the Government can ever get them back would be by buying them back, and the Government never will be able to buy them back because of the enormous value of the development of all these properties at the end of 50 years. It would absolutely bankrupt the Government to buy them back at that time. The developments on the Colorado River 50 years from now will be worth a hundred billion dollars, and if Congress or the Federal Power Commission now or ever gives all those rights away the Government never on earth can buy them back.

Mr. EATON. Is it the gentleman's contention that the power companies use up the water?

Mr. TAYLOR of Colorado. Of course, they do not consume it, but they will exclusively and imperatively control it, and thereby control the stream and control its use, and prevent any interference with their dominion over it. They will insist that any use up the stream is an interference with their vested prior rights, and they will be constantly bringing injunction suits in friendly Federal courts to prevent any diversions anywhere on the stream or any of its tributaries. The other 5,000,000 or 10,000,000, or 25,000,000 people in those seven States will only be permitted to make such use of the waters of the great Colorado River as a few power-company people will permit.

Mr. VAILE. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Colorado. Certainly; I will gladly yield to my Colorado colleague.

Mr. VAILE. If the water goes down to them we can not get it back.

Mr. TAYLOR of Colorado. No. We never can pump it back up the stream. It is gone forever.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. BURTNESS. What are the improvements that would be affected? What about the companies that have their money invested?

Mr. TAYLOR of Colorado. Whatever companies that now have money invested on that river will not be affected. Nobody needs to buy any power from Uncle Sam, and no one will do so unless they can get it for what it is worth. If there is a market for it, somebody will buy it, otherwise not.

Mr. BURTNESS. The argument is made by some that the investment of power companies now operating would be entirely destroyed by this improvement. Would the competition that would be created by the construction of this dam by the Government destroy the investments of other power concerns?

Mr. TAYLOR of Colorado. Oh, no; that is one of the stock arguments of the power companies that are marvelously prosperous. The power market down in that country is so enormous that it would consume it all at once. The city of Los Angeles has bonded itself to take it if the power companies do not want to accept this.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Colorado. Yes; I am pleased to yield to the father of the House.

Mr. COOPER of Wisconsin. The inquiry suggested by the gentleman from North Dakota reminds me of one of the arguments that was advanced against granting the franchise to the Northern Pacific Railroad that now runs through the country of the gentleman from North Dakota [Mr. BURTNESS], to the effect that it would unduly produce competition with the transcontinental railroads already established; and the commission that was appointed to investigate it by the President, Grover Cleveland, headed by Governor Pattison, of Pennsylvania, unanimously reported that that argument would not avail, because the Government of the United States would not give the Central Pacific or the Union Pacific or any other road a monopoly for all time over transportation.

Mr. BURTNESS. Of course, the gentleman from Colorado understands that my question was not asked in a controversial spirit at all. I just want to get at the facts.

Mr. TAYLOR of Colorado. The demand for power out there is prodigious and is constantly growing. You Members who do not live in an arid region never can understand the value of that water; you never can comprehend it—what it is worth for drinking, for irrigation, for power purposes, for all kinds of domestic uses. Gentlemen, power development in our country is only in its infancy. It only requires a very few men to operate a power plant. In the years to come the hand that controls the switchboard will very largely control the country; and when the millions of horsepower and the waters of the great Colorado River are being distributed between the cities, enterprises, and many millions of people of all the seven Southwestern States of our Union I want Uncle Sam to stand at the switchboard forever.

Mr. Chairman and my colleagues, let me say in conclusion that all of us must answer to our own consciences and to our own constituents for our actions here, and I do not intend to impugn the motives of anyone else, but, for my part, if I should vote to take or in any way permit that grand Colorado River to be taken away from all those millions of good American citizens who now own it and make a few private power companies a present of it for all time, I would feel that I was a traitor to my State and to my country. [Applause.] And I most fervently appeal to you Representatives of fair play and of the American people; I appeal to you as my colleagues, do not crucify the birthrights of the 6,000,000 men, women, and children living in those seven States and all their descendants forever on the cross of the power companies. [Applause.]

Mr. ARENTZ. I have been very reluctant, Mr. Chairman, to take up the time of the House in discussing this broad subject, so important to these States and to the people of the Colorado River Basin, but important also to everyone in these United States. I am merely going to ask permission to revise and extend my remarks in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. ARENTZ. Mr. Speaker, I am in favor of the Government for all time holding a controlling hand on the Colorado River. I believe the construction of a dam at Boulder Canyon for the prevention of flood, the deposition of silt, the regulation of water for irrigation purposes, and the development of power to be right and just.

For the Government of the United States to construct this dam and appurtenant power plants and to operate the same, disposing of the power generated at the switchboard, I consider justified under the existing conditions and circumstances. The control of this vast natural resource, tied up as it is with millions of acres of arid land, for the most part unappropriated public land and Indian reservation land, which must be supplied, if at all, with water from this stream in years to come, should forever be held by the people in trust for coming generations. This is the only way in which the seven States of the Colorado Basin can be protected.

The Swing-Johnson or Boulder Canyon dam bill should at least come before the House for consideration and the Members be given a chance to align themselves on one side or the other of this important question, and I purpose to show why its fate at this time should be decided by a vote of this House. With an amendment along the lines suggested by me to the Secretary of the Interior and California Representatives, and agreeable to both, allocating at least 100,000 horsepower to Nevada, this bill would meet the approval of Nevada's Representative.

#### MATTER GIVEN CAREFUL CONSIDERATION

The question is asked, "Has enough time, consideration, and study been given to such an important piece of legislation as this, providing for the expenditure of such a huge sum of money?" My answer to this question is "yes." I know of no recent legislation given greater study than has the development of the Colorado River.

#### SYSTEMATIC STUDY OF RIVER

The study of the Colorado River Basin from the standpoint of its use and development may be said to have begun by the establishment of stations for the measurements of stream discharge in various parts of the basin in 1894 and 1895 by the United States Geological Survey.

After the passage of the reclamation act in 1902 the Reclamation Service took up the systematic study of the lower river, provided for more frequent and systematic gaugings and a topographical survey of the lower valleys of the Colorado River to the Mexican boundary.

A more extensive study of the entire basin was inaugurated in 1914 by a special allotment of \$50,000 for this purpose, supplemented by annual allotments in subsequent years, and this

work was finally assembled in three large volumes of manuscript by Mr. John T. Whistler. It included a reconnaissance of practically all of the proposed reservoir sites and irrigation projects in the basin above the Arizona line and the compilation of all existing data, including the water filings and the water rights throughout the basin.

The study did not stop with Mr. Whistler's report, but was transferred to the lower basin, where the topographic survey of the basin was continued up the river and a detailed survey made of the proposed reservoir at and above Boulder Canyon.

The Colorado River has been under observation, survey, and study, and the subject of reports to Congress since the close of the Civil War. More than \$350,000 have been expended by the Bureau of Reclamation since the Kinkaid Act of May 18, 1920. More than \$2,000,000 have been expended by other agencies of the Government. The time has arrived when the Government should decide whether it will proceed to convert this natural menace into a national resource.—(Secretary of the Interior, Dr. Hubert Work.)

Measurements of the Colorado River have been conducted by the United States Geological Survey and by some of the interested States for many years.

My first active participation in activities leading to the systematic development of the Colorado River began eight years ago when the late Governor Boyle, of Nevada, appointed me a delegate to the League of the Southwest. This convention met in Los Angeles in the spring of 1919 and had for its aim the development of the lower Colorado River and the prevention of floods in this lower basin. During the past eight years numerous engineering investigations have been made and the greatest expert engineers in the world have been called into consultation.

During the Sixty-seventh Congress I sat for many hours for days on end participating in hearings on proposed legislation having to do with the development of the Colorado River. These hearings covered every phase of the question. None who desired to speak were denied. Also, during the Sixty-ninth Congress the Committee on Irrigation and Reclamation of the House, of which I am a member, spent even a greater time upon this subject. Some men, both proponents and opponents of the bill, were heard before this committee time and again.

#### FIVE CONTROLLING FACTORS

The control of the floods and the development of the resources of the Colorado River are peculiarly national problems for several good reasons:

1. The Colorado River is an international stream.
2. The stream and many of its tributaries are interstate.
3. It is in part a navigable river flowing through land held in Government ownership.
4. Its waters may be made to serve large areas of public lands naturally desert in character.
5. That these problems are national in character, scope, and magnitude was recognized by Congress in each act providing for the investigating of this river approved during the past 30 years.

#### RIVER VISUALIZED

No picture of the Colorado River is complete without a view of the conditions and water resources of the entire Colorado Basin.

The Colorado River proper is formed by the junction of the Grand and Green Rivers in southeastern Utah. The Grand River, which was renamed the Colorado several years ago, rises in northeastern Colorado and has a length above its junction of about 450 miles.

The Green is the longest branch and rises in the Wind River Mountains of Wyoming, flows in a southeasterly direction into Utah, and then turns eastward, flowing into Colorado and back into Utah, and has a length of about 700 miles from its source to the junction with the Grand.

The length of the Colorado River from the junction of the Green and the Grand to the Gulf of California is 1,050 miles, thus making, with the continuation of the Green, 1,750 miles total length.

Below the junction with the Green the Colorado flows southwesterly into Arizona across the northwest corner of the State; there, turning south, it forms the boundary between Arizona on the east and Nevada, California, and Mexico on the west, reaching the Gulf of California about 120 miles below Yuma, Ariz.

The rim of the basin whence the streams take their sources is composed largely of high mountain ranges. Here the snows from the winter storms pile up in the deep canyons and under the gentle urge of the warm rays of summer sun furnish much of the regular river flow. On the north and east, in Wyoming and Colorado, respectively, the Wind River Mountains and the ranges of the Continental Divide are the highest and furnish



the greatest water supply. For this reason the run-off from this region is far greater in proportion to area than that of any other part of the basin.

The lower third of the basin is composed mainly of hot, arid plains of low altitude, broken here and there by occasional short mountain groups or ranges reaching elevations of 3,000 to 6,000 feet.

The central portion of the basin is a high plateau, through which the streams have cut narrow canyons, often of great depth. It is here that the Grand Canyon of the Colorado is located. Every tributary through this region is a canyon.

#### TOPOGRAPHY

The Colorado River Basin is naturally divided into three parts, which are topographically different. The southwestern part is in general but little above the level of the sea, though isolated mountains rise here and there to elevations of a few thousand feet. The central part is a great plateau region, which has a general elevation of 5,000 to 8,000 feet. This part is bounded on the east and west by ranges of high mountains and most of it is cut by deep gorges and canyons. The northern part of the basin is bounded on the east by the Rocky Mountains, which rise to elevations of more than 14,000 feet; on the north by the Wind River Mountains in Wyoming, which reach 13,700 feet or more; and on the west by the Wasatch Mountains in Utah, which reach altitudes exceeding 13,000 feet.

#### CONTROL

As would be expected in the study of problems involving a region so large and so diverse in its needs, comprising as it does seven sovereign States, there are many opposing views and conflicting interests.

The question of public or private ownership and operation of the projects involving the development of power has been little discussed openly in connection with Colorado River, although it has had a controlling effect on the attitude of many people.

Federal control of the floods of a large river has been recognized as good public policy. Similarly, the financing and building of irrigation works and, in connection therewith, the construction of large storage reservoirs for regulating the flow of rivers have for more than 20 years accepted as proper governmental activities. The possibility of extending such activities into the business of financing, constructing, and perhaps operating large hydroelectric power plants opens up a big question of policy, on which there are sure to be sharp and honest differences of opinion.

As its resources, which constitute the most important part in the growth of several States in agriculture, industry, population, and wealth, the problems of their development are of interstate and international interest.

#### AREA OF DRAINAGE BASIN

The area of the drainage basin of the Colorado River, of approximately 244,000 square miles, is divided among the several States of the basin as follows:

	Square miles
Wyoming	19,000
Colorado	39,000
New Mexico	23,000
Arizona	103,000
Utah	40,000
Nevada	12,000
California	6,000
Mexico	2,000
Total	244,000

Of the total area drained by the Colorado River, 96,000 square miles is drained by the Grand, the Green, and the San Juan, which, though draining less than two-fifths of the total area, furnishes approximately 86 per cent of the total water supply.

#### STREAM FLOW

To go into the matter of stream flow of the several branches of the Colorado River in the basin would serve no useful purpose here.

The discharge of the Colorado River at the Nevada-Utah-Arizona line is estimated at 17,500,000 acre-feet annually.

#### UPPER END OF GULF CUT OFF BY EROSION

At its mouth the river has built up a great delta from the materials eroded in the canyons described and has by this means encroached upon the Gulf of California at its mouth, and finally cut off the upper end of this gulf entirely.

The isolated portion, forming a deep depression below sea level, is known as Salton Basin and included the Imperial Valley, with a saline lake in the bottom, known as Salton Sea.

#### FLOOD MENACE

The flood menace existing on the Colorado River is best understood if we go back to the time when the Gulf of California extended some 150 miles north of its present limits,

with an eastward extension to the neighborhood of Yuma. Into this eastern arm of the gulf the Colorado and the Gila poured their muddy waters, as described by Mr. James H. Gordon, observer, United States Weather Bureau, Yuma, Ariz.

In the long period of time which followed, the rivers brought down many hundreds of cubic miles of rock and sand and mud, the scourings of the Grand Canyon and the 10,000 lesser gorges, and the wash-off from at least 144,000 square miles of territory. The delta grew and filled in the eastern arm of the gulf. The Colorado and Gila became one river and pushed the delta head farther and farther out until it reached clear to the western shore; built it up until it formed a dam, cutting off the northern section of the gulf from the ocean. This, too, was many thousands of years ago, and the river has kept on building. To-day this deltaic dam, above sea level, is nearly a hundred miles wide. The course of the Colorado River lies between the twin crests of this delta cone, more than 30 feet above the sea. It turns to the left, toward the gulf, 50 miles away. To the right lies the old sea bed, the Salton Basin, its lowest point more than 300 feet below the river level, and but 70 miles away.

One must wonder that the river takes the sluggish way to the gulf instead of a grade nearly ten times as steep into Salton Basin. It is true that now there are levees to prevent its turning north, but long before the levees were built the river was taking the sluggish course rather than the steep one.

There is little question that the Colorado River has flowed into the Salton Basin a number of times during the last 10,000 years, turned from the gulf to the old sea bed. Such a change stirs one's imagination. There would be the gradual preparation, the south side of the river building up a little higher each year with an added layer of silt, the north bank cut increasingly by overflow at flood time; then, finally, at some high water, a cut would reach back clear through the north bank to the main channel, the river would feel the urge of the steeper grade, and turn roaring into the desert. In 30 or 40 years the basin would be full to the brim, probably with an outlet to the gulf to carry off the high waters of flood time. But the grade would be gone. Instead of roaring out onto the desert the river would flow sluggishly into a quiet sea to drop its load and start in again on the old business of delta building. With the passing years the river would shift back and forth, east and west, as a delta cone became a dam and the river sought an easier channel. It is hard to say how long this would take—the building up of the north bank to the danger point—probably three or four hundred years at least. Eventually, inevitably, at some high water a break would come in the south bank, for any grade is better than none, and the river would turn again toward the gulf, to start the damming process all over again.

Something less than a thousand years ago, geologists tell us, the last shift into the south took place. For many years the Colorado River had flowed into the Salton Basin. Indian villages lay along its shores, the people living by fishing and growing corn on the overflow land following each high water. Then the building up of the north bank being sufficient, the river turned south and the desert crept back as the sea shrunk away to nothingness. It was a great catastrophe to the fisher people. They were driven away to find other homes. Traces of the old villages still remain. For nearly a thousand years the Salton Basin lay empty, a sun-baked, barren desert. So white men found it and hated its glaring desolation.

Some 70 years ago an Army engineer proposed to recreate the sea, to turn the Colorado River into the Salton Basin again. His plans came to nothing, but other men came after him with other plans. It was 50 years before the plans bore fruit. Twenty-two years ago men turned the waters of the Colorado River back into the Salton Basin and a sea appeared in the desert. But this was not like the sea which had evaporated a thousand years before. It was a sea of green, miles and miles of alfalfa fields, thousands of acres of cotton and grain, great acres of melons, vineyards, truck farms, and fruits. Cities grew in the midst of it. The new sea in the desert supports a population probably a hundred times as great as the Indian villages could boast. More than three-fourths of a million acres of land have come under cultivation.

It is one of the ironies of nature that the Colorado River drove man from the Salton Basin a thousand years ago by turning to the gulf, while to-day it would drive him out by returning to the Salton Basin. For all these years the river has been flowing into the South it has been forcing back the head of the gulf, building up the country, flattening out its grade, and the cycle seems almost completed. The Colorado River is ready to turn again into the Salton Basin and blot out the civilization of to-day, as it blotted out the desert of

yesterday. This is the great problem of the lower Colorado, the problem of a river tremendously powerful during its annual flood period, ready with the preparation of a thousand years to turn its flow back into the old sea bed.

A break would be a very serious matter. That of 1905 cut a network of channels which converged into the New and Alamo Rivers. The channels of these rivers scoured back from the north to a depth of from 50 to 60 feet. After 16 months of effort the break was closed at a cost of over \$2,000,000 and the river again flowed south. A new break, if it cut one of these channels back to the main river, would offer a tremendous problem. The cut, if long unchecked, would work back up the river for miles, dropping the river level many feet, quite possibly threatening the security of Laguna Dam.

The deep-cut channels of one break only make the threat of another more menacing. So the matter stands. The river is bringing down its 6,000,000 carloads of silt and sand a year, 100,000 acre-feet of damming material. During the last year engineers, to balance this, threw in 6,000 carloads of rock to keep their lines safe. The problem is being met and met bravely, but it is not solved. Each year the threat of disaster is renewed.

Observations of silt carried have been taken periodically at Yuma, Ariz., just below the mouth of the Gila River, for a long series of years, and show an average annual amount by volume of 113,000 acre-feet.

For this reason there is vital need for protection from floods of the Colorado, which threaten the levees along the river valley and which are a constant menace to the Imperial Valley, threatening a repetition of the experience of 1906. The control of the floods, the control of the river, can only be brought about by storage.

#### REASONS FOR LEGISLATION

We have then come to the first and foremost reason for legislation affecting the control of the Colorado. Not alone the people of the Colorado Basin States, but the people of the entire Nation are interested in this matter. Its urgency and vital necessity are unquestioned.

Let us now pass to the use of water for irrigation and domestic use.

Investigations show that there is a sufficient quantity of water to furnish an adequate supply to all of the lands in the basin that can be feasibly reached by gravity or reasonable pumping lifts.

In the upper and lower regions of the Colorado Basin irrigation interests should and must predominate, although power resources are very important. In the middle or canyon region of the basin, which includes northwestern Arizona and southwestern Utah, the power resources predominate and irrigation interests are small.

It is the general rule of law within the Colorado Basin that he who first puts the waters of a stream to use has a first right in their use.

The fear had arisen in the States in the upper section that, before the time when they can put what they believe is their share of the water to use through licenses issued by the Federal Power Commission, rights to such share will have been acquired on the lower river, particularly if power developments utilizing the full flow of the stream should be authorized on the middle or lower river.

An act passed on June 10, 1920, established a Federal Power Commission which was to have control over all water power under Federal jurisdiction. Under section 6 of the act licenses to construct and operate power houses were limited to 50 years. Under section 7—

the commission shall give preferences to applications by States and municipalities provided the plans for the same \* \* \* conserve and utilize in the public interest the navigation and water resources of the region \* \* \*

Also, recognizing the importance of developing the Colorado Basin on broad lines in such a way as to realize the greatest benefits therefrom, the seven States of the Colorado River Basin took steps to organize a commission upon which each of the seven States interested would be represented and on which the United States was also represented, in order to work out and recommend to their respective States and to Congress such action as would bring about the best use of the water resources of this great river system.

#### SEVEN-STATE COMPACT

The first step along this line was taken in August, 1920, at the Denver meeting of the League of the Southwest. Resolutions were submitted recommending the establishment of the Colorado River Commission which would settle the water rights in the Colorado River to the various States concerned.

In 1921 the States of Wyoming, Arizona, New Mexico, Utah, Nevada, Colorado, and California passed laws providing for representation on the Colorado River Commission with a view to making a compact in regard to the water rights of the Colorado River.

On August 19, 1921, Congress passed an act—

To permit a compact or agreement between the above-mentioned States respecting the disposition and apportionment of the waters of the Colorado River, and for other purposes. (H. R. 6877. 67th Cong., Public, No. 56.)

On December 17, 1921, President Harding appointed Hon. Herbert Hoover, Secretary of Commerce, to represent the United States on the Colorado River Commission.

In January, 1922, the Colorado River Commission held its first meeting at Washington, under the chairmanship of Secretary Hoover. Hearings on the proposed compact between the seven States were held by the commission throughout the year.

On October 9, 1922, the Supreme Court rendered its decision in the case of Wyoming v. Colorado (260 U. S. 1). In reference to this decision, Mr. Hoover, chairman of the Colorado River Commission, stated—

That decision perhaps simplifies the issues, because it fairly definitely establishes rights to the water by priority of beneficial use. (67th Cong., 2d sess.; hearings on H. R. 11449, Pt. I, p. 52.)

On November 24, 1922, an agreement or compact was signed at Santa Fe, N. Mex., between the seven representative States dividing the waters of the river not amongst the States but between the upper and lower basin States, the upper-basin States being Colorado, New Mexico, Utah, and Wyoming, and the lower-basin States being Arizona, California, and Nevada.

The Legislatures of Colorado, Nevada, New Mexico, Utah, Wyoming, and California ratified the Colorado compact at their legislative sessions in 1923. Arizona has thus far withheld her ratification.

On March 2, 1923, the report of the proceedings and the agreement of the Colorado River Commission was submitted to Congress and referred to the Committee on Irrigation and Reclamation (67th Cong., 4th sess.; H. Doc. No. 605):

To bring about the harmonized engineering opinion within the circle of the several Government bodies concerned with the Colorado, the Secretary of the Interior formed a board including representation from the Geological Survey, the War Department, the Federal Power Commission, and the Bureau of Reclamation. This board was to report on the needs of the river and to recommend how they might be met, but it failed to agree in the main. The representatives of the Bureau of Reclamation reported in favor of a large single-storage project combining flood control, silt elimination, irrigation equalization, and power (the Weymouth report of 1924 constituted their report). Colonel Kelly, for the Power Commission, and Herman Stabler, for the Geological Survey, presented separate reports, Colonel Kelly condemning the Boulder Canyon reservoir and proposing a small reservoir at a new site, near Needles, for flood control but not for equalization of flow. One of the points of disagreement was whether the cost of the dam serving other uses than power should be paid for wholly from power income.

At the session of the Arizona Legislature in 1925 a concurrent resolution was passed that approval would be given to the Colorado compact—

upon the condition that such approval shall not become effective nor have any force whatsoever unless and until the legislatures of the States of California and Nevada and the Congress of the United States shall approve an agreement between the States of Arizona, California, and Nevada, which agreement hereby is approved by the Legislature of the State of Arizona. \* \* \*

The American Society of Engineers stated:

The compact was not occasioned by the belief that there is insufficient water in the river for the needs of the entire basin but by the apprehension of the people of the upper States that dams and storage works for river control built below the Utah line may give priority of right to the lower States and curtail future agricultural development in the upper States.

#### SIX-STATE COMPACT

When it became evident that Arizona would not ratify the seven-State Colorado compact, a movement was started among the six remaining States amending the original compact and making it binding upon the six States which had ratified. In the 1925 sessions of the Legislatures of Colorado, Nevada, New Mexico, Utah, and Wyoming this six-State compact was ratified. California ratified the six-State compact but with a proviso, known as the Finney reservation, approved on April 7, 1925, which provided that California's ratification of the six-State compact would become effective when Congress will have authorized the



construction by the United States of a storage reservoir of capacity not less than 20,000,000 acre-feet of water, and that Congress has exercised the power to make the terms of said compact binding and effective as to the waters of the said Colorado River.

The distribution of benefits from water storage is perhaps the most complicated and difficult to determine, and involves questions of law. It is estimated that the feasible irrigation projects in the lower basin, which would divert water from the main stream, comprise 2,020,000 acres, of which about 60 per cent is in the United States and 40 per cent in Mexico.

As I have stated before, the Colorado River is an international stream.

The full development of the proposed projects in the upper basin will subtract substantially from the total water supply, but there will still be left ample water to irrigate all the lands of the lower basin if it is conserved and regulated in a storage reservoir of sufficient capacity. The total area of irrigable land in the upper basin is about 4,000,000 acres, of which about three-eighths is now under ditch. The development of the upper basin will doubtless proceed steadily, but it will be a long time before the full development is reached.

Within the upper and lower basin area we have, then, about 6,000,000 acres of irrigable land. Some of this land is held in private ownership, but for the most part is held by the Federal Government reserved and unreserved and within the reservations.

Should the Federal Government be interested in the control of the waters of the Colorado River Basin on the score of its public and Indian reservation lands? Most emphatically it should.

We have arrived, then, at the second reason for Federal control of the Colorado, namely, irrigation of public lands.

#### WATER FOR LARGE CITIES DISCUSSED

Some persons dislike large cities—they believe cities of a million population and more are a menace to civilization. No one questions the right of any city regardless of size to furnish an adequate supply of pure water for culinary purposes to its citizens. New York City went 100 miles and more to find its supply, and no one questioned its right to do so. Los Angeles went 240 miles to the headwaters of the Owens River to obtain a large portion of its present supply.

Los Angeles and sister cities in southern California are limited in growth and development of industries unless additional water supply is obtained. Does anyone question the right of Los Angeles or any of its neighboring cities to obtain an adequate water supply from any source available just so long as prior rights are safeguarded? In none of the basin States does the right of appropriation depend on the place of use being within the same watershed. To each of the seven States a definite quantity of water is due and is allotted for future use.

#### DEVELOPMENT OF POWER AT BOULDER CANYON, BY-PRODUCT

The development of power at the Boulder Canyon reservoir is a by-product. With some adjustments the development of power can be made to conform to the requirement of this dam for flood control, irrigation, and the high purpose of water for culinary purposes.

The great value of this power and the wide demand for it, together with its magnitude, indicate that the power privileges of the Boulder Canyon reservoir can be made to bear the entire cost of the dam. For a broad, general, yet detailed study of the Colorado River Basin I refer you to Senate Document No. 142.

G. E. P. Smith, University of Arizona, says:

The Supreme Court of the United States has decided that in the case of interstate streams in the arid region, neither the riparian theory of water rights nor the priority of appropriation theory can obtain, but that each State is entitled to benefits from the river. But in the case of the Colorado River, where there is water enough for all, there seems to be no necessity for any litigation.

#### ALLOTMENT OF WATER SUPPLY AMONG STATES

California and Nevada of the lower basin States and Wyoming, Colorado, and New Mexico of the upper basin States are asking for an allotment of the water supply among the seven States. No agreement, apparently, can be reached with Arizona relative to the allocation of either power or water at Boulder Canyon dam. Utah's representatives lay claim to the reason for this State's withdrawal from the six-State compact the fact that Arizona refused to sign the compact. The fear exists that with Arizona without the pact her citizens could apply for licenses and obtain permits from the Federal Power Commission for unlimited power development, thus obtaining priority at the expense of the upper States. A short amendment of

direction to the Federal Power Commission would allay all fear on this score. All proponents of this legislation are in favor of adopting such an amendment. I urge such an amendment.

On December 22, 1925, the Senate passed a resolution—S. J. Res. 4—which has been introduced by Mr. PITTMAN, of Nevada, to suspend until February 1, 1928, the jurisdiction, power, and authority of the Federal Power Commission to issue licenses on the Colorado River and its tributaries under the Federal water power act approved June 10, 1920. The resolution was referred to the House Committee on Interstate and Foreign Commerce, where it is still pending. O. C. Merrill, in Federal Power Commission hearings on H. R. 11449, June, 1922, a bill to develop the Colorado, says of the Colorado River:

One of the most important and interesting of our present-day engineering problems. It involves the protection from flood of millions of dollars of property values, the irrigation of millions of acres of land, and the product of millions of water horsepower, and it affects the general economic interests of seven of our States and two of the States of Mexico.

Seven sovereign States claim in the use of the waters of the Colorado rights which in the aggregate may exceed its possibilities. Its waters can not be put to use without the sanction of the States in which the use is proposed and without the concurrent sanction of the Federal Government, which owns the lands necessary for such use and which possesses a general control over the river from the fact that it is an international stream. There is danger at each flood season that the river may break northward into the Imperial Valley instead of continuing southward into the gulf.

The river did break through in 1905, and for more than a year and a half discharged into Salton Sea before it was turned back with great difficulty and expense into its old channel. The levees which were later built to protect the valley have several times been awash in periods of floods. It is only a matter of time when the river will break through again unless steps are taken to control the floods. The situation is further complicated by the fact that the works for protecting the Imperial Valley are situated in Mexico.

#### USE OF WATER FOR IRRIGATION

In the study of the problem of flood control it has been demonstrated that for several reasons it is desirable to have a reservoir below the Grand Canyon of the Colorado.

The proposed Boulder Canyon site has certain distinct advantages over all other sites, if considered wholly from the standpoint of the flood-control and irrigation requirements of the Imperial Valley.

When we consider the relation of irrigation to power development, we find that only about 1 acre in 30 in the Colorado Basin is irrigable, but that it has power resources more than sufficient to meet its needs for generations. Since it is likely to require all the agricultural products that its lands can supply long before it has put to use all its potential water powers, it would appear the part of wisdom to dedicate the waters of its streams to irrigation to the extent they can be efficiently used for such purpose, leaving water-power development to take second place.

The problem of water supply for such purposes is, therefore, one of equitable distribution, and this is the problem which the Colorado River Commission has been created to solve.

The extent of the interest in the power possibilities of the Colorado River may be judged from the fact that there were on file in 1922 with the Federal Power Commission 20 applications affecting the Colorado River and its tributaries aggregating 4,500,000 primary horsepower and 6,000,000 horsepower of estimated installation.

It is, however, quite apparent that no such amount of power will be developed in the near future, simply because it could not be disposed of.

The only section which at present seems capable of furnishing the requisite demand and the section which gives greatest promise of increasing demand in the near future is the southern half of the State of California.

Adequate source of power at low cost is much needed in the Southwest at the present time to supply its rapidly growing market and to aid in its industrial development. Coal deposits are lacking or inaccessible. Oil fields are subject to exhaustion and their output is of so much greater value for other purposes that they can not constitute a permanent source of industrial power on a large scale. There is a constantly increasing demand for power. Mines, railroads, and local industries in Arizona, Nevada, and southern Utah are suffering under a similar handicap.

Flood control is the urgent need of the lower basin, and irrigation is generally considered in an arid region as a use of

water superior to its use for power when the two conflict. In the present instance, however, investigation over a term of years by the Bureau of Reclamation engineers has demonstrated that an opportunity exists at Boulder Canyon for the construction of a single reservoir which will combine flood control, water for domestic purposes, and irrigation storage, and at the same time without interference with free and complete extension of irrigation in both the upper and the lower basins will permit the development of a large amount of power.

This power can be made to not only repay the entire construction cost of dam and power equipment with interest, but will remain thereafter a permanent asset.

I believe in the construction of a dam on the Colorado River which will equate the stream, reduce the menace from flood, and establish the necessary water supply for irrigation. If the construction of the Boulder Canyon dam and the control of the same by the United States Government is had, it would correlate the interests of the several States directly interested, make easier of solution any international problem that may arise, and greatly benefit the lands by reason of the flood control and the increase in the minimum flow of water.

#### CONCLUSIONS

A reservoir of 10,000,000 acre-feet minimum capacity would be required for flood control. Such a reservoir can be constructed at Mohave for about \$26,000,000, provided foundation conditions are favorable. This site is objectionable for the reason that it would flood 40,000 acres of irrigable land and about 20 miles of double track of the Santa Fe Railway and the city of Needles, a division point on the Santa Fe Railway system.

The advantages of the Boulder Canyon dam site for flood regulation, irrigation storage, and silt storage are as follows:

- (a) It is readily accessible.
- (b) Foundation conditions at the dam site are excellent.
- (c) Construction materials of demonstrated suitability are available near the dam site in sufficient quantity for the construction of any dam considered.
- (d) It would submerge but a limited area of tillable land.
- (e) It is so located as to control discharge from all important tributaries with the exception of the Williams and Gila Rivers.

(f) It is nearest to the lands to be benefited of any point on the river where it is feasible to construct a reservoir adequately providing for ultimate requirements of flood control, silt storage, and irrigation storage combined.

Any dam or reservoir constructed should fit into a general scheme of maximum practicable development for the purposes of irrigation and power. To this end sufficient storage must be provided to adequately control the floods, at first largely for the prevention of avoidable damage and later to obtain the maximum benefit from the use of such waters for irrigation and the production of power. Other considerations permitting, deep reservoirs should be chosen in preference to shallow ones, as the exposed area and consequent evaporation losses are less. Heads should not needlessly be sacrificed.

The results of the studies of the United States Government engineers and those called into consultation show conclusively that power can be more economically developed at Boulder Canyon alone than at any other site or combination of sites; and since storage for silt, flood control, and irrigation can also be most economically developed there, it follows that Boulder Canyon is the site that should be first developed.

With all these facts staring us in the face, to build a dam in Mohave Canyon would be inexcusable. This is the reason this site has not been drilled or otherwise investigated; the general knowledge of its conditions showed so plainly its inadvisability—showed that money spent on its investigation would be wasted.

Its one virtue is that it produced no power or that none of the power companies have applied for it, although anxious to possess all the desirable sites.

Boulder Canyon site would be narrow and deep, the exposed surface relatively small, and the money would be spent on the dam instead of on replacing towns and railroads.

The development of the Colorado River means much to Nevada and Arizona and California. It is the biggest thing on Nevada's industrial calendar. It means new industries, progress, and prosperity in the Southwest. It must be made the source of income to my State throughout the generations to come. It is well to bear in mind that within a period of 30 or 40 years, or less, all cost of dam and power plants will have been paid, the money returned to the Treasury of the United States with interest, and ownership of these works rest in the United States, unless otherwise provided for by a three-State compact between California, Arizona, and Nevada. All items

contained in such a compact should be studied with care and a compact entered into only after the most careful consideration.

Provision should be made in such compact that after this period of amortization and repayment to the United States Treasury for the cost of construction all payments for power over and above cost of supervision and operation should be divided in such proportions as will be equitable to the United States and to Nevada, Arizona, and California; this divisional income will give an income in perpetuity to these States after the wealth of their hills in the way of copper, lead, zinc, and silver mines have been depleted.

There should be allocated to Nevada at least 150,000 acre-feet of water and 100,000 firm horsepower under such terms as have been agreed upon in amendment to the present bill proposed by myself and Senator PITTMAN.

Who is there to deny that this is mere justice to States that have been drained of their mineral resources from both the East and West? We must safeguard the inheritance of the people of the Colorado River Basin for all time. Within 50 years or less the Colorado River will be the very lifeblood of these people—of my people.

With our mineral resources gone, or for the most part almost depleted, there must be held under control by our National Government, the only force that can control, sufficient water for all the arid lands in the basin susceptible of cultivation.

We must protect the people of the lower basin through flood control.

Under no circumstances should the use of the waters of the Colorado River for domestic and irrigation purposes be subservient to that of power. The controlling hand of our Federal Government should never be taken from this mighty stream. In the very nature of things this stream can not be turned over to the power companies without the Federal Government forfeiting its control of the water of this stream for higher purposes, namely, flood control, domestic use, and irrigation.

Only under Government control can the great resources of this mighty river be held in trust for coming generations.

Mr. TAYLOR of Colorado. Mr. Chairman, how much time have I consumed?

The CHAIRMAN. The gentleman from Colorado has consumed just one hour.

Mr. WASON. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. SWING].

The CHAIRMAN. The gentleman from California is recognized for 10 minutes.

Mr. SWING. Mr. Chairman and members of the committee, there are so many reasons why this piece of legislation should be promptly taken up and discussed and perfected according to the wisdom and will of the House that it is impossible for any person in one speech to cover all the various beneficial and urgent reasons why it should be enacted. But we would not be taking your time now were it not for the fact that the all-important reason for this legislation is the ever-present flood menace, which is growing worse each year.

This river has built up all this region [indicating on map] by bringing the silt or mud or soil down from the canyon section above and depositing it in the delta section. One hundred and eighteen million acre-feet, or as much as was taken out of the Panama Canal during the 10 years of its construction, is annually deposited in this region, in which the Imperial Valley is located.

It may seem strange to say that mud is one of the principal factors in the flood menace, and yet that is true. It is this combination of flood waters and silt that to-day is imperiling Imperial and Palo Verde Valleys in California and Yuma Valley in Arizona. In these discussions the Imperial Valley is used merely as an illustration because it happens to have the largest number of inhabitants and is the richest in production and, because it is 100 to 250 feet below the sea level its peril is the greatest. It is situated, as it were, at the bottom of a saucer, and this river winding its way around half the rim of the saucer, the fall into the valley being four times greater than the drop toward the Gulf, so that the old law of gravitation has the downhill pull on that river to take it into the Imperial Valley.

The gentleman from Colorado [Mr. TAYLOR] in an able and illuminating and instructive address has told you the source of the flood. Snow falls to great depths, sometimes to 10 or 12 feet deep on the upper Rocky Mountain plateau, in Wyoming, Colorado, a part of Utah, and New Mexico. Then, when the summer heat descends on those great fields of snow the melting begins and the water starts on its rampage down stream toward the Gulf of California, picking up great quantities of this silt as it goes and threatening all the surrounding country in the lower basin. Hardly a year goes by that these floods do not overflow and pour out into some community,



carrying waste and destruction and loss of property and sometimes loss of life. The river constantly builds itself up by the deposit of silt in the bed and over its banks, just like a volcano builds up its crater. For a great many years this river flowed nearly south to the Gulf on the course marked on the map in yellow. During all that time the river was busy building itself up until this old channel became the highest land in the delta. It is from 40 to 60 feet higher than the volcano lake levee, which is the main line of defense of the Imperial Valley, blocking the gateway of floods into the valley. Therefore, if the river should get started northwest toward Imperial Valley, the fall of the surrounding country would be in favor of it breaking into that valley.

In 1909 the river broke from its old channel, and thereafter flowed in a westerly direction [indicating on map] into a depression known as Volcano Lake. The river in a few years filled that depression up with silt and was threatening to overtop Volcano Lake Levee and flow into the Imperial Valley. At great expense and by fortunate engineering the people of the Imperial Valley were able to divert the river by damming the old channel and by digging an artificial water course  $4\frac{1}{2}$  miles long led the Colorado River into the Pescadero Basin, which lies half way between the ridge created by the old channel [indicating] and the new elevation which the river had built up to the west. The Pescadero is the last remaining depression or trough in which the Colorado can flow to the Gulf. It is simply a question of mathematics as to how long it will take it to fill up that depression, and when it does the river is bound to swing back over against Volcano Lake Levee because that will then be the lowest part of that section of the delta.

Let me tell you about Volcano Lake Levee. It is from 14 to 18 feet high. It is built, as it has to be built, of the same material which comes down in this river—silt. Silt is the affinity of water. It comes with the water and it goes away with the water. It will melt in water like sugar. But the people have to use it because it is the basis of all land here. As I say, they built this Volcano Lake Levee from 14 to 18 feet high across this depression, which is the gateway into the Imperial Valley. It is rock-revetted on the river side. There is a railroad track on top of it, and in times of flood engines will steam up and with long lines of cars filled with rock stand ready to go to which ever point may be attacked by the river. There are big mud geysers all through there, and some are on each side of Volcano Lake Levee.

The reports of the engineers—which I will not take the time to read; and I have a half dozen of them here, one from the War Department, two of them from the Reclamation Service, two from the Southern Pacific engineers, and others—all state that this levee is a precarious defense, because when this soil gets wet and is permeated with water the weight of the levee will cause it to squash. So there is grave danger that this levee may be topped or breached, and if this river goes through in flood time, there is bound to be a resultant loss of life and property in the Imperial Valley.

I have stood on Volcano Lake Levee in flood season, when the river had overflowed all of that country, and I have looked out on what appeared to be 30 miles of water back up against that levee 10 to 15 feet deep, and coming within a foot or two of the top of the levee. The people of the Imperial Valley prayed that day that no wind would come from the south, because if there came wind there would come waves, and waves would top the levee, and that would mean that the levee would be washed away and this great backed-up flood of water turned loose with all its force and fury upon the Imperial Valley.

As I stated, I have these engineers' reports describing the situation, and they all agree on this, that if there is to come down this coming summer anything more than the usual flood, the river is almost sure to break from where it is now and in all probability make an attack upon Volcano Lake Levee, and that means almost certainty of its going into Imperial Valley again, with the resultant destruction of property and possibly the inundation of the entire valley.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SWING. I just want to add that the Weather Bureau advises me that there has been this year an unusually heavy snowfall in the upper region. That means that we can certainly look forward to the greatest flood we have had in four or five years, with danger written large for Imperial Valley. I hope something will be done by this Congress and that the Government will not wait until disaster happens. [Applause.]

Mr. WOOD. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman and gentlemen of the committee, the Boulder dam question is beyond the blue-print stage. It is beyond the stage of explaining its possibilities.

Its engineering problems, its financial problems, have all been solved. It is nothing but a purely legislative question at this time.

Mr. LINEBERGER. How about the politics involved?

Mr. LAGUARDIA. I will come to that in a moment.

In a few days the Sixty-ninth Congress will end. In a few years from now there will be nothing on record to make the Sixty-ninth Congress stand out, if we fail to pass Boulder dam legislation, it will not be many years before the Sixty-ninth Congress is entirely forgotten; but if we put the Boulder dam project through, the Sixty-ninth Congress will stand out in history for thousands of years. [Applause.]

This project surpasses the Panama Canal. It will be a monument to the civilization of this era, when in years to come history will record in but a few pages the entire World War. [Applause.]

The question may properly arise, Why are you, from New York, thousands of miles away from Boulder dam, interested? and I will tell you why. We are interested in Boulder dam because we are suffering under the exploitation of the Power Trust in the East [applause], and the Boulder dam project will demonstrate how cheaply power can be generated, and once we demonstrate how nature may be harnessed and power generated at a low cost, it will break the control of the Power Trust and it will bring relief not only to the States out West but to the entire country.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. In just a moment. I only have 10 minutes.

Why, this project corrects the defects of nature. It takes this vast water supply that is now going to waste; it harnesses it; it holds it; and it releases it in daily quantities so as to be useful to the population of these great States.

I would not do the young State of Arizona an injustice. Why, I owe a great deal to Arizona, and that is a good, sound, healthy boyhood which I spent in that great Territory; and if I know anything about the broad, generous nature of the people of Arizona, I know they would not stop now and join in an unholy alliance with the Power Trusts of the East and prevent this project from being adopted at this session of Congress. [Applause.]

This is the test, gentlemen. It is not a test of whether the Boulder dam project is feasible. It is not a question of whether its financial plans are sound. The big test now before the American Congress is whether a majority of the House and a majority of the Senate, ready to vote for this bill, are powerful enough to bring the bill before us for consideration, or whether the representatives of a few exploiting power companies are stronger than the representatives of the people of this country. [Applause.]

This is not the first time, Mr. Chairman, we of the East have been confronted with this same sordid, material, selfish opposition. We are confronted with it at this very time in the State of New York. Why, just think of it! In this day and age we transport coal hundreds of miles into a city to generate electricity, when God Almighty has been so generous to the people of this country in giving us natural water power from which we could generate electricity, and without the exploitation of the power companies we could send current into the homes to light, to heat, to wash, and to cook at a very small cost. I am more interested in the welfare of the homes than I am in the dividends of the bondholders of the power companies. [Applause.] Nature intended this water power to belong to all of the people. Do you suppose there would be any opposition to this project if you were given a concession to a group of power companies to exploit it? They would tell you what a great engineering feat it was; they would tell you how useful it was. What has prevented Muscle Shoals legislation from coming before us? The same kind of sordid opposition.

Gentlemen, in the remaining few days of Congress I say we ought to exert our power here as representatives of the American people, and this instance shows you gentlemen the necessity of liberalizing the rules of this House.

I am ready to join in a filibuster with anyone in this House, under the very severe rules under which we operate, and absolutely go on a legislative strike until this bill is brought before us. [Applause.]

It means more to us in the East than you gentlemen of the West can imagine. It means an opportunity to demonstrate what can be accomplished by the proper and unselfish use of water power under Government control.

The differences of Arizona and Utah can be easily adjusted. That is altogether an administrative matter. There is nothing in the proposed law which limits the amount of water or

prescribes just exactly what terms Arizona shall make when this project is constructed. I appeal to the membership of this House that these questions of the right of Utah and Arizona can be settled at the proper time.

This dam can not be built in one day. Let us assert ourselves now. This is not a fight against nature, because nature in this instance has been conquered. Inventive genius and the progress made in electricity in the last few years have demonstrated the feasibility of this project. The big fight now is between the people of the United States represented by a large majority in this House and by a large majority in the Senate, and a few slimy, undercover representatives of the Power Trusts. [Applause.]

Mr. Chairman, I appeal right now to the membership of the House to serve notice on whatever committee may have control of the situation, and to say that, speaking in the last days of the Sixty-ninth Congress, we demand that this bill come before us with an opportunity to vote upon it. [Applause.]

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. HUDSPETH].

Mr. HUDSPETH. Mr. Chairman and gentlemen of the House, we have just heard the eloquence of the leader of one of the political parties on that side [Mr. LAGUARDIA] in behalf of the Boulder Canyon dam, and properly so.

But I am wondering why the leader has not raised his voice in behalf of the thousands of Federal employees, who faithfully and efficiently serve the interests of this great Republic, who to-day are underpaid by the Government, and are not receiving the consideration at the hands of this House that is due them. I wonder why the gentleman from New York, who represents so many Federal employees in his district (and I am sure he does, as I do in mine), is not standing here and asking for the passage of the Hudson reclassification bill, that languished so long in committee, and which has finally been reported out, and upon which we have importuned the Rules Committee to give us a rule.

I might add, gentlemen, as a Member of the Texas Senate for 12 years, and of the lower house of the Texas Legislature for 4 years, it was my pleasant duty to aid in securing as nearly adequate wages as possible for the employees of our State government, giving them substantial raises in many instances.

I recall, as chairman of the important finance committee of the State senate, that I did materially increase the pay of faithful and capable employees—some of whom had served our State for almost half a century. And I observed, gentlemen, that by doing this, I brought to our State government efficient workers and a continuance in the service of competent employees, who otherwise would have had to abandon their positions and seek employment in private channels.

We passed a reclassification act here four years ago, which has been so flagrantly mutilated by the classification board as to defeat the will of Congress beyond any question, and every Member here knows it.

What have they done? They have raised the pay of the fellow higher up and refused to give an increase to the fellow down below. That is exactly what they have done. Why does not the gentleman from New York come with his eloquence and ask the leaders, of whom he is one and represents a great political party—why does he not ask this House to pass the bill of my friend from Michigan [Mr. HUDSON], H. R. 359? Why does he not ask for the passage of that bill, so as to give these people of the smallest salaries, who are underpaid, adequate compensation? Will any Member of this House stand here and contend that a man can raise a family properly and decently on \$1,000 a year?

What do we ask? Under the bill introduced by Mr. WELCH of California we ask for a minimum salary of \$1,500 per annum. Where is it, I will ask the gentleman from New Jersey [Mr. LEHLBACH]?

In your committee, is it not? Why do not my friends here, who are talking so much about the Power Trust—and perhaps they are right—come and ask this Congress to mete out equal and exact justice to the thousands of Federal employees over this country who no man will stand on this floor and say are not underpaid.

I hold the highest esteem for every Member of this body and have had during my eight years of service, and believe that I have the confidence and respect of my colleagues, and this statement is not made in a spirit of captious criticism; but, gentlemen, when I recall that soon after entering Congress something like \$300,000,000 was voted to reimburse contractors upon estimates of what they had lost by reason of the fact that the war ended earlier than was expected—and thank God it did end then, averting further bloodshed—when I recall that certain mine owners and miners were reimbursed in sums reaching into the hundreds of millions; sugar importers from Cuba were given

rebates in the amount of millions; owners of great transcontinental lines of railroad were reimbursed and voted sufficient sums to guarantee 6 per cent upon their net earnings, the fact presents itself to my mind that the fellow down below has been somewhat discriminated against.

And last, but not least, gentlemen, you will also recall that by an overwhelming majority we increased our own salaries 25 per cent, it does not lessen the fact that the employees of this great Government have been sadly neglected at the hands of this Congress and of other Congresses in which I have had the honor to serve as a Member.

Gentlemen, I probably have the honor to include in my constituency as many Federal employees as any congressional district in the United States. Following the meanderings of the Rio Grande that marks the line between this Republic and the United States of Mexico, I say to you that I represent 800 miles of border. Along this boundary are stationed several hundred immigration guards, customs officials, prohibition-enforcement officers, deputy marshals, and employees of the Bureau of Public Health.

In my home city of El Paso we have several hundred additional employees of the Postal Service, law-enforcement officials of the Secret Service, Department of Agriculture, rural mail carriers, and so forth.

Mr. LEHLBACH. Will the gentleman yield?

Mr. HUDSPETH. I will.

Mr. LEHLBACH. A remedy for such a situation as exists in regard to the Federal employees is already in existing law. The classification act of 1923 contained compensation schedules for all employees of the District of Columbia, and also that act contains a provision which says that it shall be the duty of the Classification Personnel Board to report to Congress any revision of salaries that is necessary.

Mr. HUDSPETH. Have they done their duty? No. You passed the bill two years ago, and this one would pass in five minutes to-day if we could get it up. But the Republican steering committee will not give us a chance to pass it.

Also, there is a bill by Mr. SPROUL of Illinois, which provides for an increase of 12½ per cent for night work of postal employees. This bill should be passed, and would have a tendency to reduce night work to such an extent that the greater part of such work would be found unnecessary.

And I might call to your attention bills pending before the Committee on Ways and Means, creating grades in the customs service and increasing the pay of customs officials. One of these bills was introduced by the gentleman from New York [Mr. LAGUARDIA]; and I find another one by the splendid and efficient Congresswoman from California [Mrs. KAHN] which provides that customs guards at ports of entry shall be paid \$2,400 per annum. It is true that she specifies certain places. I think the bill should be made general. Now, it is inconceivable to me that a man can exist and maintain a family on less than \$2,000 a year.

I am also preparing a bill to increase the salaries of deputy United States marshals, and while it is too late to give consideration to this bill at this short session of the Congress, I hope to arouse such a propitious sentiment in this House that it will receive favorable consideration at the forthcoming session in December.

Why, do you know, gentleman, there are deputy United States marshals throughout the country, and especially in my district, who stand out in the rain and the snow to guard your property and mine, and enforce our laws, and who receive salaries as meager as \$750 per annum?

And I want to say, it is no justification for the payment of these outrageously low salaries to say that there are numbers of people in private life who are getting no more. The survey and observation that I have made (and I have given the matter considerable study) is that employees in private corporations, on the average, receive higher compensation than employees of the Federal Government.

The work of our Government must be carried on. It is the largest corporation in the world, and "the laborer is worthy of his hire." And I say to you, and I will amply support my statement by letters that I shall read and print as a part of this speech, from reputable men, whom I know personally, which I am sure will convince you, as fair-minded men and truly representative Members of Congress, that the present pay of our Federal employees, and especially civilian employees of the Federal Government, is sufficient only for them to eke out a mere existence.

The path I have trodden, gentlemen, in this life, from my infancy to mature manhood, and to this good hour, has not been a "bed of roses," by any means. And I have touched elbows with every class of citizen in every walk of life, and, while fortune may have smiled upon me to a greater extent



than many others, due probably more to accident and luck than personal business ability, still I have never lost my sympathy for and interest in the "fellow down below."

Mr. BLANTON. Will the gentleman yield?

Mr. HUDSPETH. Yes.

Mr. BLANTON. While the gentleman from New York is building this \$50,000,000 dam, why does he not put one across the Limpia Canyon, in the Davis Mountains, in my colleague's district, that will impound water enough to furnish power for all that part of the country?

Mr. HUDSPETH. Let us "dam" the Personnel Classification Board that is raising the salaries of the fellows that are higher paid and not doing anything for the little fellow. [Laughter.]

Now, what does the Lehlbach bill seek to do? I read from the American Labor Yearbook. A survey has been made as to the cost of living:

The United States Bureau of Labor Statistics estimated the minimum amount of food, clothing, housing, and other essentials necessary for a family of a father, mother, and three children. The estimate was intended to establish a bottom level of health and decency below which a family can not go without danger of physical or moral deterioration.

Now, let us see what it is: In Brooklyn it is \$2,383; in Chicago, \$2,543; in New York, \$2,366; in my home city of El Paso it costs more than it does in New York, because we have to transport the supplies for a long distance.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. HUDSPETH. Yes.

Mr. LaGUARDIA. The gentleman knows in all fairness he ought not to direct his fire against me. I have been with the gentleman, I have got bills in now for the increase of wages of Federal employees. I am with the gentleman in the movement to increase wages.

Mr. HUDSPETH. Has the gentleman called the attention of Congress to his bill for the relief of underpaid Federal employees as eloquently as he did the Boulder dam question? I will agree with the gentleman that 60,000 people are in danger in the Imperial Valley, but there are over 1,000,000 in this country, and many of them in dire distress, underpaid to-day. Federal employees I refer to.

A friend and colleague of mine said to me the other day:

Why pay these people who work for the Federal Government any more? They are getting too much now. Why, when I was a boy I worked for \$18 a month.

"That was 40 years ago," I replied to him. Is it any justification for me to say that I have herded sheep for five years for \$10 a month, without shoes on my feet, and saved a little money? And that is one reason that I can not forget the fellows who are lower down in the financial scale. At that time, Mr. Chairman, we wore very scant clothing. I wore jeans trousers that were manufactured by my mother on the old loom, and a "linsey woolsey" shirt and a hat made of the same yarn. But to-day things are different. It is true that I herded sheep for five years for \$10 a month, and I made money; but I could not do it to-day.

I pay taxes, and I do not object to paying taxes for the purpose of giving these people an adequate salary. We have deputy marshals all along the Rio Grande to-day enforcing all of the laws—prohibition, immigration, keeping out undesirables—and what do you suppose some of them are getting, Brother URSHAW? Seven hundred and fifty dollars a year.

Mr. UPSHAW. That is an outrage.

Mr. HUDSPETH. Do you think they can live on that, gentlemen? And they have families to support. That is what I am talking for here to-day. That is why I rose and asked my good friend from Colorado to give me 10 minutes. It was to direct the attention of this House to the inadequate salaries paid to these people.

Mr. LaGUARDIA. And when we had under consideration the Department of Justice appropriation bill, the gentleman will remember that I offered several amendments to it to increase salaries.

Mr. HUDSPETH. Oh, yes. And I did the same, and they were all voted down. But if you will adopt the Welch bill, that fixes the minimum salary of an adult at \$1,500 per year, who works 8 to 12 hours a day, you will get them some relief, but it is languishing in committee to-day.

Mr. HUDSON. Mr. Chairman, will the gentleman yield?

Mr. HUDSPETH. Yes.

Mr. HUDSON. Is it not probably true that most of those minimum salaries which would be affected by that bill are not paid to the heads of families?

Mr. HUDSPETH. Some of them are, and some are not. The gentleman refers to the Welch bill?

Mr. HUDSON. Yes.

Mr. HUDSPETH. But if the gentleman's bill should be adopted, all would be affected by making a resurvey of the entire field.

Mr. HUDSON. Absolutely.

Mr. HUDSPETH. And putting the matter under the Civil Service Commission. Recently a prohibition officer in my town, while enforcing the law, was murdered by a bootlegger. The man had a wife and four children. The bootlegger came out on the highway with his load of booze, and this man attempted to stop him, and was murdered. The people donated to his family in their dire distress. You can say that I am wrong. Well, I would rather be wrong by mistake than to be right from policy, and keep the secret in my heart. That is the way I feel about this proposition. [Applause.]

There is considerable agitation for a reduction in the income tax on corporations. Until these poor people are given adequate salaries, I could not find it in my conscience to vote for such a reduction, for I feel that the corporation, as a rule, is better able to pay the tax than many individuals. And, furthermore, I certainly would not vote for any considerable reduction, or probably none at all, until the head of the family is granted an exemption of \$5,000. This amount is needed to properly educate the children in any family.

The pay now allowed the Federal employees, both the good women and the men, and many of them work seven days a week and 12 hours a day, is only in sufficient amount to sustain them through days of health, and with no adverse conditions. Not a dollar can they lay up for the proverbial "rainy day." When illness or misfortune overtakes either themselves or members of their families, they are put back into the scale of arrears, from which, in ninety-nine cases out of a hundred, they never emerge. When their loved ones pass away, they have not enough money properly and decently to inter them. This condition, gentlemen, Congress should not permit to continue for a moment longer. When an employee of the Federal Government has served his country for 25 or 30 years, he is unfitted for other pursuits, from the difficult and peculiar demands made upon him throughout that period by the particular needs of the Government service.

The great Democratic President, Woodrow Wilson, once said that the temper of the times is such that we should now readjust our economic existence with reference to increasing the wages of the laboring people, as the temper of the times once demanded that we should readjust our political existence, and to do so would be a radical modification of our political existence.

I earnestly urge this House—every individual Member in it—the steering committee of the majority side, and the great and powerful Rules Committee, to get behind such measures as the Lehlbach bill, the Sproul bill, the Hudson bill, and all other bills pending before the Congress or the committees thereof, that, if enacted into law, would mete out equal and exact justice to our faithful Federal employees. In doing this we would but accord to this deserving body of citizens, who do not serve this Republic simply for gain, but because they love it, and are willing to give their lives to its effective functioning, the reward to which their efforts so richly entitle them. [Applause.]

#### EXHIBITS

NATIONAL FEDERATION OF FEDERAL EMPLOYEES,  
El Paso, Tex., February 3, 1927.

HON. CLAUDE B. HUDSPETH,

Member of Congress, Washington, D. C.

MY DEAR MR. HUDSPETH: Your telegrams and your letter in response to my request that you appear before the Committee on Civil Service were read at our meeting Tuesday night, and many were the kind expressions of appreciation of your readiness at all times to give a helping hand with bills affecting Government employees.

I pointed out to our members the urgency of prompt action in writing you, telling you in plain language just how bitter is the struggle to make both ends meet on their present salaries, some of which are as low as \$780 per annum, and when sickness overtakes them the added privations they are compelled to endure in eking out a bare existence often compels them to take children out of school and put them to work in order to keep body and soul together. With such hardships in this climate, "where sunshine spends the winter," what must it be to employees in the North, where Jack Frost spends the winter, where more food, clothing, and fuel are required for the maintenance of comfort and even of life.

Again thanking you for your ever-ready willingness to help us in our effort to obtain just and fair laws for the Federal workers and assuring you of the high esteem in which you are held by our membership, I am,

Very truly yours,

G. B. SLATER,  
Secretary-treasurer Federal Employees Union No. 29.

EL PASO POST-OFFICE CLERKS UNION No. 180,  
El Paso, Tex., February 16, 1927.

HON. C. B. HUDSPETH,  
Congressman, Washington, D. C.

DEAR SIR: We wish to call to your attention certain bills now pending that we, as post-office employees, are deeply interested in.

If the Sproul bill, which provides for an increase of 12½ per cent more pay for night work, should be passed and become a law, it would have a tendency to reduce night work to such an extent that a greater part of the night work would be cut out.

Retirement bill H. R. 13478, sponsored by Lehlbach, is of interest to all, and especially to senior employees in the Postal Service. As the retirement law now stands, it provides for a pension of \$1,000 a year after not less than 30 years service, provided the clerk or carrier has reached the age of 65. Our organizations are asking for \$1,200 annuity with optional retirement after 30 years' service. We contend that it would be a decided improvement in the service for the department to pension a clerk after 30 years' service and appoint a young man at the entrance salary, who could do more work than the one who had served 30 years.

Not every clerk reaching the 30 years of service would want to retire—many do not want to under the present law—so the department's argument about the 30-year optional retirement being so very expensive might not be as expensive as they try to make us believe.

We sincerely thank you for the support you have given us in the past and appreciate your willingness to help us at any and all times.

With best wishes,  
Very truly yours,

WILBUR ROBINSON,  
Secretary, Local No. 180, National Federation Post Office Clerks.

EL PASO, TEX., February 3, 1927.

HON. CLAUDE B. HUDSPETH, M. C.,  
Washington, D. C.

MY DEAR CONGRESSMAN: With reference to your recent communication addressed to the local Federal Employees' Union concerning the Welch bill, in compliance with your request, I beg to respectfully advise you that I am a guard in the United States Immigration Service at El Paso, Tex., receiving \$1,440 per annum, having a wife to support. Thirty dollars is our monthly rental; gas, electricity, coal, and water extra. Our average expenses for household necessities are from \$12.50 to \$15 per week, the balance, as you will understand, being wholly inadequate to provide the common necessities of life.

I have been employed in the Government service since March, 1909. My entrance salary was \$900 per annum. So you can see in my particular case the advancement has been very slow. I assure you that your efforts in behalf of the underpaid Government employees is certainly a gratifying thing to know, and merits the same service to you in the future as I have tried to render in the past.

Respectfully,

LOUIS G. HARMAN,  
2022 Atlanta Street, El Paso, Tex.

[Copy of letter]

FORT BLISS, TEX., February 3, 1927.

MR. C. B. HUDSPETH, Washington, D. C.

DEAR SIR AND CONGRESSMAN: In reply to your request for the information as to Federal employees, which I received from the Federal Employees Union, El Paso, Tex., I will make the following statement:

I am a married man. I have a wife and mother to care for.

I am the head blacksmith at Fort Bliss. I have two men under my supervision.

My present salary is \$1,500 per annum. June, 1921, my salary was cut \$5 per month. All other blacksmiths—Fort Logan and other posts—get \$1,640 per annum.

Anything you can do for me will be gladly appreciated. Under the present conditions I am just existing.

Best wishes from the Federal Employees Union, El Paso, Tex.

ROBERT OSBORNE,  
P. O. Box 352, Fort Bliss, Tex.

EL PASO, TEX., February 14, 1927.

Representative HUDSPETH,  
El Paso, Tex.

DEAR MR. HUDSPETH: I am sending you information as to living expense compared with salary received.

I am a blacksmith and horseshoer at Fort Bliss. Four months in the winter I am instructor at the horseshoeing school at the fort. I am head instructor.

Expense:	Per month
House rent	\$25.00
Light and gas	6.50
Water	1.50
Coal and wood	25.00
Groceries and meat	55.00
Total	113.00

My salary of \$1,440 per year, minus 3½ per cent (which is deducted for the retirement fund), doesn't leave very much.

Yours respectfully,

ARTHUR R. MOON,  
3331 Manzana Street, El Paso, Tex.

3410 NATIONS AVENUE,  
El Paso, Tex., February 4, 1927.

HON. C. B. HUDSPETH, M. C.,  
Washington, D. C.

DEAR SIR: Please allow me to appeal to you as my last resort in my old age for some relief. I have been wheelwright, Quartermaster Corps, for 24 years. I entered on duty April 1, 1903, at Fort Wingate, N. Mex. My rate of pay was \$720 per annum and rations. I was much better off then than I am now. My pay now is \$115 per month, and I am not living—just existing.

	Per month
I pay rent for my little three-room house	\$15
Groceries for my family at this time will cost me	40
Water, light, and fuel at times will exceed	12
The little insurance to protect my family	4
Repairs and running expense of Ford car	15

Total..... 86

Not much left for clothing, sickness, and for schooling two children. Besides, there is 3½ per cent deducted monthly from my pay for retirement. On July 1, 1921, the quartermaster took \$5 off my pay on account of shortage of funds. I have never been able to get that restored.

My record is clear, absolutely spotless, and I have many letters from quartermasters vouching as to my ability and willingness to perform my duty as wheelwright as well as other work assigned to me.

My duties are: Repair and paint all the quartermaster transportation—all light transportation in the post. Carpenter work in the corral and stables. Repair all shovels, rakes, and similar tools in the post. Sharpen all circular saws from the wood yard, which is from two to six per day. At times I have to repair truck wheels and do carpenter work for the quartermaster, such as making panel doors. I am alone and have no helper. The work is very heavy. I do not mind the large volume of work, but I would be pleased to receive pay in proportion. My pay is much less than the pay in civil life for similar work, and I am too old now to quit the Government and start life over. I will retire in two more years on age limit. I would like to be able to lay away a few dollars to keep my family on while I have the long period to wait for my first pension check after I retire, which I have known to be over a year in some cases.

I will appreciate any assistance that you can give me in my old days for relief. I feel that I am entitled to some consideration.

Thanking you in advance for anything that you feel that you can do,  
Yours respectfully,

MICHAEL A. FOSTER,  
Wheelwright, Q. M. C., Fort Bliss, Tex.

THE CHAIRMAN. The time of the gentleman from Texas has expired.

MR. TAYLOR of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. SHALLENBERGER].

MR. SHALLENBERGER. Mr. Chairman and gentlemen of the House, I appreciate the remarks of the gentleman from New York [Mr. LA GUARDIA] in calling attention to the possibility that this session of Congress, and the Congress may terminate without enacting legislation that is of a national importance.

I read in the metropolitan press the charge that the session of Congress just coming to a close is a typical lame-duck session. That aside from the appropriation bills it has done little but pass pork-barrel legislation of interest chiefly to the Members. That its committees do not function by reporting important or needed legislation.

The best the Ways and Means Committee can do is to bring out a bill to create a whisky monopoly. The Committee on Interstate and Foreign Commerce refuses to report anything more important than bridge bills, though a coal strike is imminent and railroad rates need adjustment.

I am told that the one important work of the session, the passage of the farm relief bill, is to be nullified by a presidential veto.

I am most unwilling to believe this last charge after listening to the speech of the President delivered to the Congress this week commending the life and deeds of George Washington. To veto the farm bill will not be following in the footsteps of George Washington. It will put Calvin Coolidge out of line with the record of the great Presidents of this Republic—Washington, Jefferson, and Lincoln.

Washington, Jefferson, and Lincoln are the trinity by whom we measure greatness in Presidents. They never used the



veto to defeat the will of Congress by setting aside public bills of national importance.

The immortal Washington was President eight years—tremendous years—when the Nation was in the making. He used the veto power but twice, and then only on matters of little moment. One, a bill relating to a regiment of dragoons, and the other dealing with apportionments.

Thomas Jefferson, the greatest constructive statesman this country or any other nation ever knew, never used the veto power during the eight years that he presided over the destiny of the American Republic.

Abraham Lincoln, by many thought the greatest of the immortal three in his understanding of true Americanism, like Washington, only used the veto twice, and both times upon bills dealing with details—not principles of government or the general welfare. One bill that Lincoln disapproved concerned the appointment of minor officers in the Navy, and the other the issuance of bank notes of less denominations than \$5.

It is interesting to study the origin, the development, and the decline of the idea of the veto power in governments. The veto is the voice of autocracy, not of democracy. It was born of the doctrine declared by Louis the Grand, when he cried, "The State, I am the State!" It is a part of the doctrine of the divine right of kings. Its purpose was to protect the prerogatives of kings.

Calvin Coolidge has the veto power because 2,000 years ago Augustus Caesar asserted his authority to use it upon the Senate of Rome and backed that assertion with an army. Later the Caesars passed that power down to the kings and kaisers that followed after them, until at last it came down to an English King. And when 150 years ago our fathers framed our Constitution and our laws, they adopted the principles and practices of the unwritten constitution of England. And since an English King still claimed the power of veto it was granted to our President in our own fundamental law. But the veto power of the British King is as dead to-day in England as William the Conqueror himself.

Not for 200 years has any English King ever dared to use the veto power upon the people of England. If George V, King though he is of Great Britain and Ireland and Emperor of India, were to attempt to use the veto power even once upon the Parliament of England when it speaks for England that would be the end of even the name of Kings in England. [Applause.]

But here in free America the people fight for years for a bill dealing with the life or death of a great industry absolutely essential to the welfare of all the people. The demand for it rises in such a tide as to drive it through both Houses of Congress by a big majority. We are not a democracy nor an autocracy; we are a representative Government. We have here 115,000,000 of people, and 435 Congressmen and 96 Senators are the only voice the people have in this Republic when they speak in law.

And then at last the bill comes up to one man among 115,000,000 of people and he passes judgment upon us all. He takes his pen in hand and writes "Veto"! I forbid it, like a Caesar of old, and that is the end of this struggle of the people to get relief by law.

We are told the President will sign the whisky bill to establish a whisky monopoly, the bankers' bill for the benefit of the banking monopoly, the various log rolled, pork barrel bills that loot the Treasury, but he withholds his approval of the bill for the relief of the suffering farmers of the Nation.

I am loath to believe it until I read it in the RECORD. Like Thomas the Doubter I will not believe unless I see.

A study of the history of my country convinces me that if Washington, Jefferson, or Lincoln were alive to-day and confronted with this great responsibility they would not defy the representatives of the people, but would recognize and respect their right to speak for the people in law and sign the bill. [Applause.]

Mr. TAYLOR of Colorado. Mr. Chairman, I yield eight minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman, we have heard very considerable discussion upon the merits of the Boulder dam proposition, which would cost the Government in the vicinity of \$123,000,000. One of the strongest arguments in its favor is the fact that it will protect the lives and property of some 60,000 inhabitants of the Imperial Valley.

I wish to speak to you upon the deficiency bill before us, and upon a matter which affects the life and property of 850,000 citizens of Baltimore. We have located near Curtis Bay, a part of the city of Baltimore, what is known as the Curtis Bay ordnance reserve depot. At that point there is stored some 75,000 tons of explosives, in addition thereto there are more than 50,000,000 rounds of ammunition. The buildings in which

this is stored consist of 26 buildings, some 200 feet long by 50 feet wide each. They are 75 per cent filled with ammunition, stored throughout to the height of 12 feet. These buildings, if put end to end, would represent a distance of 5,200 feet, or exactly 1 mile, by 50 feet wide, 75 per cent filled with ammunition, much of it T. N. T., tetrol, ammatol, and picric acid.

Surrounding this ordnance depot are great manufacturing plants, business property, and homes, valued at perhaps \$100,000,000. During working hours there are 15,000 people within a two-mile radius, and the entire depot is just across the Patapsco River from the main part of the city of Baltimore and within six miles on a level stretch from the city hall. You can readily imagine how the citizens feel regarding the storage of this ammunition within their vicinity, knowing as they do the havoc which has been wrought and the lives lost in explosions elsewhere. For more than a year correspondence has been kept up with the War Department and the President of the United States, and large delegations, including our Senators and Representatives, have visited both. It was distinctly understood that we would receive relief upon the assembling of Congress, and in reply to a telegram by the governor of our State to the Secretary of War the governor received the letter which I here insert:

OFFICE OF THE SECRETARY OF WAR,  
Washington, D. C., February 14, 1927.

HON. ALBERT C. RITCHIE,

Governor of Maryland, Executive Mansion, Annapolis, Md.

DEAR GOVERNOR RITCHIE: Your telegram, dated February 10, 1927, relating to the subject of abandonment of Curtis Bay ordnance reserve depot and to pending legislation on the subject, has been received and given careful consideration.

Pursuant to the situation described in the first part of your telegram, I sent a letter to the Director of the Bureau of the Budget on December 20, 1926, inclosing a statement of results of a detailed study made in the War Department which gave the cost, by appropriation involved, for varying degrees of partial evacuation of Curtis Bay by rail, by commercial water, and by Army water, together with the cost of complete evacuation by those methods.

In reply to the above-mentioned letter I received a letter from the Director of the Bureau of the Budget, dated December 27, 1926, advising me that the matter had been laid before the President; that the President expressed the wish that I submit a supplemental estimate of appropriation in the amount considered by me as necessary to effect the removal and storage elsewhere of such projectiles and explosives as were deemed a menace to the life and property of the civilian population adjacent to the depot; that the President did not contemplate that Curtis Bay depot be evacuated or abandoned, but desired that action be taken looking toward the removal of only such material as was considered necessary to secure to the surrounding populace reasonable safety from the menace of a possible explosion.

In compliance with this decision, and based upon the advice of my experts on the subject, I submitted a supplemental estimate in the amount of \$814,448 for the removal of dangerous explosives from the Curtis Bay ordnance reserve depot.

When the material is moved as provided for in the bill recommended to the Congress, the following will remain at the Curtis Bay ordnance depot:

	Approximate
Small-arms ammunition.....	rounds..... 38,855,580
37-millimeter L.E. shell, sand loaded.....	do..... 25,000
3-inch T. M. practice shell.....	do..... 28,125
2.95-inch subcaliber C. I. shot.....	do..... 13
75-millimeter shrapnel.....	do..... 1,054,819
75-millimeter A. A. shrapnel.....	do..... 41,454
Mechanical and combination fuses.....	do..... 1,207,919
Miscellaneous primers.....	do..... 3,278,070
Smokeless powder.....	tons..... 15,683
Sodium nitrate.....	do..... 15,720
Miscellaneous inert materials.....	do..... 32,285

This remaining material will not constitute a hazard or danger to either property or lives in the vicinity of the Curtis Bay ordnance reserve depot.

In view of the foregoing I am without authority to ask that the second deficiency bill be amended as requested in your telegram.

Sincerely yours,

DWIGHT F. DAVIS,  
Secretary of War.

You will note by reading this letter these words: "I submit a supplemental estimate of appropriation in the amount considered by me as necessary to effect the removal and storage elsewhere of such projectiles and explosives as were deemed a menace to the life and property of the civilian population adjacent to the depot." The Secretary of War had already recommended to the President the absolute necessity for the appropriation to remove those dangerous explosives, and under Document 680 the President of the United States submitted to Congress on the 2d day of February, 1927, a communi-

ation embodying the necessary appropriation, which had been approved by the comptroller of the Budget and recommended its passage by Congress. I insert here from page 4 of that communication the items necessary for such removal of ammunition, and which items I shall ask to be inserted in the bill as an amendment when we reach page 62 under Ordnance Department, to wit:

Army transportation: For transportation of the Army and its supplies, including the same objects specified under this head in the act entitled "An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes," approved Apr. 15, 1926, to remain available until June 30, 1928. \$591,262

Ordnance service: For the current expenses of the Ordnance Department in connection with the purchasing, receiving, storing, and issuing ordnance and ordnance stores, including the same objects specified under this head in the act entitled "An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes," approved Apr. 15, 1926, to remain available until June 30, 1928. 123,186

Repairs of arsenals: For repairs and improvements of arsenals and depots, including the same objects specified under this head in the act entitled "An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes," approved Apr. 15, 1926, to remain available until June 30, 1928. 100,000

The purpose of these three estimates, totaling \$814,448, is to enable the War Department to remove and store elsewhere such high-explosive ammunition now at the Curtis Bay ordnance reserve depot as is deemed necessary to insure safety from possible explosion to the population living in the vicinity of that depot.

The tentative bill included these items, but when the bill came before the committee for report they were stricken out—I know not why, because if ever Baltimore did come to Congress upon an urgent and meritorious proposition, this is certainly one of them.

Mr. COOPER of Wisconsin. In what kind of structures is that great amount of explosives stored?

Mr. LINTHICUM. In brick structures.

Mr. COOPER of Wisconsin. Would lightning explode them?

Mr. LINTHICUM. Yes. Lightning blew up what was called Lake Denmark ordnance depot in New Jersey and destroyed both the ordnance depot and Picatinny Arsenal, about a mile away.

You may ask me where we can store this ammunition to make it less dangerous. General Williams in his testimony before the Appropriations Committee said they could be stored at a magazine between Salt Lake City and Ogden, which has about 35 modern magazines all empty, also at Savanna on the Mississippi River in the State of Illinois, where a number of available magazines are to be had. Again at Pig Point in Virginia, about 8 or 10 miles from Portsmouth, where space is to be had.

On pages 74 and 75 of the hearings, he tells us that Pig Point, Va., is a better location than Curtis Bay, is not thickly settled, and is not likely to have any increasing density of population, the nearest town being 8 to 10 miles away and there is little likelihood of any danger. The one in Utah is about 7 miles away from Ogden in a reservation of 1,200 acres and, he says, would not do any harm even should it explode. At Savanna, Ill., he says, there is no near-by settlement amounting to anything, that the Government has 13 miles along the Mississippi River of 13,000 acres, and is well located as a point of safety.

You see, therefore, that we are not trying to shift our dangers to the shoulders of others, but are trying to remove this danger from a thickly populated section and almost within the confines of the great metropolis of Baltimore. You will note on page 276 of the hearings where General Williams enumerates how the \$814,000 plus is to be expended; that it is proposed to remove under this appropriation 16,883 tons of ammunition. These are the most dangerous—the high explosives—and are most likely to explode.

I realize that the Government is doing all it can to patrol and protect this ordnance depot. I realize that every human means known to the department is being employed to prevent explosion. We must realize, however, that as these explosives, especially the smokeless powder, age and deteriorate they are more dangerous than when newly manufactured. Just a little spark or a little explosion from any one of this vast assemblage of thousands of tons of explosives would create a disaster of the greatest magnitude.

I hold in my hand a magazine known as the Army Ordnance, issued in this city for July and August, 1926. Sixty pages, or practically the whole book, is taken up in descriptions of the Picatinny Arsenal located about 7 miles from Dover,

N. J. This wonderful arsenal was in the very mountains of New Jersey. About half a mile or a mile distant therefrom was located the Lake Denmark ordnance depot of the Navy. This depot was thought to be perfection, and every possible protection was given it. No money was spared in providing its safety, and yet on the 10th of July, 1926, lightning is supposed to have struck the ordnance depot, which blew it to atoms and wrecked the Picatinny Arsenal, so that this article in the Army Ordnance, which I have mentioned, intending to describe a splendid record of accomplishment, became rather a memorial to what had been. The editor on page 61 under the head of "Picatinny Wrecked," has this to say:

Thus this issue of Army Ordnance which was intended to describe the ammunition arsenal, its splendid record of accomplishment, and its facilities for future progress, becomes rather a memorial to an establishment that has suffered a severe blow.

Gentlemen of the committee, I beseech your thoughtful consideration of the amendment which I intend to introduce. It means so much to the peace, happiness, and prosperity of the Monumental City, located on the banks of the Patapsco, and now so dangerously situated.

Mr. ACKERMAN. Mr. Chairman, will the gentleman yield there?

Mr. LINTHICUM. I shall be glad to yield to my friend.

Mr. ACKERMAN. Does the gentleman know that there is a bill pending at the present time authorizing an appropriation of two and one-half million dollars for the reestablishment of Picatinny?

Mr. LINTHICUM. No; but I am not surprised, as the loss was great. I believe there is a bill here to consider the claims of property owners who lost their all in the explosion of Lake Denmark ordnance depot, which claims, I believe, will amount to more than we are asking for the removal of this menace from the city of Baltimore and the Raritan depot.

Mr. ACKERMAN. There are 4,500 claims.

Mr. LINTHICUM. Yes. I am surprised at the number.

Mr. VINSON of Georgia. Has the War Department selected any particular place to store this ammunition?

Mr. LINTHICUM. Yes. One is a point between Salt Lake City and Ogden, built at a cost of a million dollars; perfectly safe and has never been used. Then Pig Point, Va., and Savanna, Ill., on the Mississippi River, are isolated locations.

Mr. VINSON of Georgia. There is pending on the Speaker's table now a bill that passed the Senate, a similar bill having passed the House, to have a depot in Nevada for the Navy on account of the Lake Denmark explosion.

Mr. LINTHICUM. I am glad to hear that. These explosives should be removed to places of safety, and thus remove the menace from densely populated areas.

Mr. ACKERMAN. Does the gentleman know any reason why this appropriation of two and one-half million dollars was cut out of the bill? Did it not have the President's approval?

Mr. LINTHICUM. It surely did. I was certain it was sure of adoption.

Mr. ACKERMAN. Oh, yes; the report had the approval of the President; it was approved by the Budget Committee, and it was in the tentative bill to be passed.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. WOOD. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. FURLOW].

The CHAIRMAN. The gentleman from Minnesota is recognized.

Mr. FURLOW. Mr. Chairman and members of the committee, word has just reached the Members of the House that the farm relief bill has been vetoed. This, as you can readily realize, is very disheartening to those of us who supported that measure; those of us who felt that it did give some promise of relief to our agricultural districts.

However, there is another project in which this country is interested, and in which the 40,000,000 land-locked people of the Middle West are especially interested. I have reference to the Great Lakes-St. Lawrence tidewater project; and in view of the fact that hundreds of letters and petitions are being sent to Members of this Congress and to our Chief Executive urging prompt action that will make the St. Lawrence canal a reality, it seems timely that we summarize the steps already taken and point out what must be done before Members of Congress can be responsive to their constituents.

The Congress has before it the report of the St. Lawrence Commission of the United States. Its major conclusion is that—

The construction of a shipway from the Great Lakes to the sea is imperative both for the relief and for the future development of a vast area in the interior of the continent.



Eleven legislatures—the Legislatures of Ohio, Illinois, Indiana, Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Montana, Nebraska, and Iowa—have all passed joint resolutions calling upon the President of the United States for immediate action, and the legislatures of six States—Washington, Idaho, Utah, Wyoming, Colorado, and Kansas—have joint resolutions to the same effect now pending. The legislatures have taken the right action, but there seems to be a general impression that all that is necessary in order to assure the opening of the Great Lakes to ocean commerce—all that is necessary to make the shore line of the Great Lakes extending from Minnesota to the New England States a “sea base”—thus extending the shore line of the Atlantic some 2,000 miles in front of those States, and those States to the south and west thereof, but immediately benefited—yes; all that is needed to do this—to move the Atlantic a thousand to fourteen hundred miles inland—is for this Congress to speak its word of approval, legislate the necessary funds, and then have the engineers to go ahead. It is not so simple as that.

#### THE PROBLEM AN INTERNATIONAL ONE

The problem of building a seaway uniting the Great Lakes with the Atlantic is an international one, both in its economic and engineering phases. We are seeking an outlet from the Great Lakes to the Atlantic—an outlet that will in effect make of the Great Lakes a western arm of the Atlantic—and that will give to the interior region of the United States bordering upon these Lakes, and to the tributary country back from them, the benefits of ocean transportation direct to and from the world's buying and selling markets.

As an international question, it is then obvious that all the work which has been so thoroughly done by the St. Lawrence Commission of the United States, by the joint board of engineers and by the State and Federal agencies, charged with studying the possibilities of this project, has simply paved the way for treaty negotiations between the United States and Canada.

The reports, both engineering and economic, are all favorable—they are unanimous—they constitute a groundwork of fact and of necessity upon which the Government may safely and sanely proceed to the writing of an agreement that shall state the terms and conditions upon which we may go forward and open up the St. Lawrence seaway between the Great Lakes and the Atlantic, thereby removing the sea base to the westerly shores of the Great Lakes, and thereby extending ocean transportation benefits and economic relief to 40,000,000 people now marooned.

With such negotiations at the present time, this Congress is not privileged to act. It is the prerogative of the executive branch of this Government to go forward. It will be the opportunity of the Senate, when the President has acted and a treaty is before that body, to approve the judgment of the engineers and to back up the recommendations of the economists and to sustain the action of the President by ratifying the treaty that we may rightly expect. When this is accomplished it will become the duty of this House to initiate the necessary fiscal legislation in order that the Mid West be given ocean benefits at the earliest possible moment.

It was of prime importance that all of this preliminary work be done, and it has been well done, but we have now reached the stage where the Government should act, and my study of this project convinces me that if negotiations with Canada are carried on immediately with the whole-hearted support of our Government, that when the Seventieth Congress convenes next December the Senate will have before it a treaty that awaits ratification. There will be ample time for fiscal legislation by Congress before adjournment, and the actual work of building this great canal can start.

True, it takes two to make a contract, and there must be a meeting of the minds of both the officials of this Government and of the Canadian Government, but with a project of such mutual benefit it is hardly conceivable that serious negotiations will fail of agreement.

Conferences between the officials of this Government and the officials of Canada should not be postponed. We speak the same language; we understand one another; we are the friendliest of neighbors; and we recognize each other's problems. Money spent for such conferences would be money well expended, and I trust this House will approve adequate funds for such purpose.

#### HAS CONGRESS FAILED IN ITS DUTY?

The question has been asked, Has Congress been negligent; is there anything we can do at the present time more than we have done? A history of more than a century of negotiation and legislation indicates to the contrary.

Congress has from time to time provided for the deepening and improvement of the channels connecting the Great Lakes. This present Congress is no exception. In order to fix a definite line of future action, the rivers and harbors bill just recently passed provides for an engineering survey of the Great Lakes—

With a view to providing ship channels with sufficient depth and width to accommodate the present and prospective commerce at low-water datum for the Great Lakes and their connecting waters and their principal harbors and river channels.

Other Congresses prior to our time have approved, over a period of more than a hundred years, a series of treaties that have finally established a complete understanding with Canada. They have created the International Joint Commission, a high court of authority, to deal with matters pertaining to the Great Lakes and with any other problems assigned to it by the two nations. Congress has approved, in the treaty of 1909, a working agreement between the two nations.

And Congress has done more. Congress has authorized again and again the studies that have been made during the past 32 years. In answer to the demand of the Middle West for a direct outlet from the Great Lakes to the ocean, Congress has approved commissions, Congress has appropriated moneys for these commissions, and the final word has now been spoken.

If the St. Lawrence River were wholly within the United States, there is but little doubt that we would have already completed the job that we are now talking of doing.

In presenting this paper I have no object in view other than to lay before the people of both this country and of Canada a picture of the groundwork that has gone before and bring out the urgency for international approval.

In collecting this material I have had the benefit of collaboration and conferences with State and Federal officials and with representatives of those associations which have been tireless in their efforts to bring about this great project. To those who have given so freely of their research I acknowledge myself indebted.

#### WHY THE MID-WEST IS URGENT

Reference has been made to the major conclusion in the report of the St. Lawrence Commission of the United States citing the imperative need for the shipway from the Great Lakes to the sea. What are the reasons calling forth this emphatic statement? They are these:

First. Compared with the period of normalcy before the World War, there has been an average increase in the costs of ocean transportation amounting to something like 25 cents on the dollar.

Second. Compared with the period prior to the war, rail transportation costs have advanced in the neighborhood of 75 per cent and the rates on eastern railroads have advanced in corresponding ratio.

Third. The building of the Panama Canal has the effect of bringing the two shores of the United States closer together in transportation cost than either shore is to the interior of the country.

Fourth. As a result of these transportation cost charges, manufacturing and business relating to manufacturing and to agriculture are tending to move away from the interior and to relocate on the seacoast.

The Panama Canal has been a good thing for the Atlantic and Pacific coasts of the United States. The Panama Canal has been a good thing for the world in general. Its benefits are apparent. The Mid West would not, if it could, undo that great national undertaking. But the Panama Canal marooned the interior of the Nation by giving to the coasts a beneficial water rate which the opening of the St. Lawrence ship channel would extend likewise to the interior.

#### THE PHYSICAL SIDE OF THE PROBLEM

Lake Ontario, like the western lakes, is an ocean. The St. Lawrence River from Montreal to the sea is one of the world's great highways of commerce. Of the 5,000 miles between the western end of the Great Lakes and the western coast of Europe less than one-half of 1 per cent remains to be improved, and that one-half of 1 per cent, consisting of rocky shoals, lies in detached reaches in the St. Lawrence River between Lake Ontario and Montreal.

As a practical problem in engineering, the task of converting these few miles of rapids into an ocean seaway is comparatively simple. It may be compared with the construction of the Panama Canal, or, if you please, with that of the Suez or of the Kiel Canal, neither of which had great differences in elevation to be overcome. In each of the cases cited the digging of the canal was for the purpose of completing a great

trunk seaway connecting two large commercial areas. Here the task is essentially that of uniting the vast resources and production of our continental interior with the consuming markets of the outside world—just as Gibraltar or the Dardanelles connect the vast inland seas of Europe with the outside world.

Let us look for a moment into the cost and engineering phases of this proposed seaway.

The St. Lawrence, unlike these other ship channel projects that have revolutionized trade conditions throughout the world, has as a supplement to its navigation possibilities a tremendous potential water power. In considering costs it is well for us to keep the two developments distinctly separate, the one from the other. It is the finding of the engineers that if we develop navigation alone it will cost us more than if we develop navigation and water power. They find that if we develop water power alone it will cost more than if we develop navigation and water power. They find that if we develop navigation and water power the costs chargeable to each project will be lessened. The time when the full development of the nearly 5,000,000 hydroelectric horsepower available in the St. Lawrence between Lake Ontario and Montreal will take place will depend upon the growth of demand for its own power on either side of the border.

For the present the plans propose the development only of that portion of the power for which there is a market already indicated—namely, on the international stretch of the river between New York State and Ontario. It is the finding of the engineers and of the economists that the power development will pay its own way. Therefore we may leave power cost out of consideration and speak only of the cost incident to navigation improvement that such joint development imposes upon the two nations.

Such cost, the St. Lawrence Commission of the United States advises us, will run from \$123,000,000 to \$148,000,000, depending upon the set of plans adopted. Under either of the plans proposed it will be necessary to construct either one or two dams in the vicinity of Barnhart Island near the northern boundary of New York, build locks for the passage of ocean-going vessels, and by the building of the dam or dams proposed in the international section create a potential 2,215,000 hydroelectric horsepower belonging equally to and divisible equally between the two nations, of which potential energy it is proposed to develop at the present time 1,365,000 horsepower south of the northern boundary of New York and wholly within the international section of the St. Lawrence.

Beyond the northern boundary of New York, in that portion of the St. Lawrence wholly within the boundaries of Canada, we may proceed to Montreal under either one of two practical plans—the first being that of side canals without any development of water power and the second being for another dam and hydroelectric power development at the foot of Lake St. Francis. If the former plan is chosen the total estimated cost chargeable to navigation from Lake Ontario to Montreal is \$123,000,000. If the second plan is adopted, that of power development at the foot of Lake St. Francis, the total effective net navigation cost becomes \$148,000,000, but the increased cost will result in a reduced mileage of ship canal, lowers the sailing time between Lake Ontario and Montreal, and, for these reasons, offers a more desirable shipway.

The time required for construction of this link connecting the mid-continental ocean of the Great Lakes with the Atlantic beyond, is set at a maximum of 10 years, with a possible minimum of 6 years if the utmost speed of construction is maintained.

#### USAGE OF AND LEGAL RIGHTS IN THE ST. LAWRENCE

Let us briefly consider the history of our relations with Canada in connection with navigation, considering such history from four standpoints:

First. What has been the actual practice regarding the use of the St. Lawrence by the people of the two nations?

Second. What has so far been done toward making the Great Lakes and St. Lawrence a highway for commerce?

Third. What legal rights do the two nations jointly or severally possess and how were such rights acquired?

Fourth. What further international agreements are necessary and what steps have been taken to such end?

The free and mutual use of the Great Lakes and of the St. Lawrence River has been enjoyed by the people of this Nation and of Canada from the time of the close of the Revolution until the present day. It is true that disputes have arisen. It is true that laws passed by the one country or the other have been looked upon as restrictive, but the fact remains that never in all that time has the actual use of the St. Lawrence or of the Great Lakes and their connecting channels been denied by either nation to the citizens of the other. That fact is of profound significance, for while the "natural" right to navigate

the lower St. Lawrence was denied to the citizens of the United States by Great Britain, the privilege and the practical use of that channel was not denied.

The legal title of the United States in the Great Lakes and in the St. Lawrence rests upon a firm foundation. That great highway was once completely within the possession of France, secured to her by right of discovery. In 1763 all right and title to the dominions of France east of the Mississippi passed to Great Britain. Twenty years later, by the treaty of 1782, the British dominions in North America were divided and the boundary line between the new nation of the United States and the remaining British possessions was indicated as the mid-channel of the Great Lakes and the connecting waters, including the St. Lawrence to the northern boundary of New York. Complete right and title to all lands and properties on either side of this boundary was recognized as resting in the one nation or the other. The exact location of the boundary line was adjusted between the two nations under various subsequent treaties.

All disputes regarding this boundary line have long since been quieted. There is no claim on the part of Canada to any title whatsoever to the shores or bed of the Great Lakes or of their connecting channels, or to the international section of the St. Lawrence this side of such international boundary line, nor is there any similar claim on the part of the United States to any right or title to the shores or properties to the northward of our boundaries.

The physical properties of the two nations, with one exception, are entirely separate and distinct; that exception is the joint right of usage of the waters of the Great Lakes and of their connecting channels and of the St. Lawrence River.

In these waters, by the laws of nature, there can be no separate title, because the waters that to-day form a part of Lake Superior will in time become a part of the rushing torrent of Niagara, and still later on will furnish navigation depth to the ships in Montreal Harbor.

The treaties by which we have separated those things which are in their nature separate, and by which we have joined and mingled the property which in its nature is joint and mingled, proceed step by step from the original peace treaty of 1782 onward to establish and clarify whatever rights, titles, and privileges the two nations possess.

It may be interesting to the Members of this House to recall that under the terms of Article VIII of this treaty, we agreed that:

The navigation of the river Mississippi, from its source to the ocean, shall forever remain free and open to the subjects of Great Britain and the citizens of the United States.

Here we set up at the beginning of our existence as a nation a principle that has become recognized throughout the world—the principle that no nation can be denied its natural outlet to the sea. We agreed that we, possessing rights in and control over the Mississippi River, had no right to deny to Great Britain and to those territories now comprising western Canada, such free right of commerce from and to the ocean. While it is true that this clause was based upon a geographical error, the principle involved was and continued to be the actual working basis of relationship between the two nations and ultimately gave to us, jointly with the Dominion, those treaty-established rights in the St. Lawrence which we now possess.

It may be observed that in the same treaty the most favored nation clause respecting commerce is assured to the citizens of the United States and to the subjects of Great Britain.

And then we have the treaty of 1794, the agreement between Great Britain and the United States known as the Jay treaty which particularly specified that:

No higher or other tolls or rates of ferriage than what are or shall be payable by natives shall be demanded on either side; and no duties shall be payable on any goods which shall merely be carried over any of the portages or carrying places on either side for the purpose of being immediately reembarked and carried to some other place or places. But as by this stipulation it is only meant to secure to each party a free passage across the portages on both sides, it is agreed that this exemption from duty shall extend only to such goods as are carried in the usual and direct road across the portage, and are not attempted to be in any manner sold or exchanged during their passage across the same, and proper regulations may be established to prevent the possibility of any frauds in this respect.

That part of the treaty here quoted relates particularly to that portion of this great waterway known as the Great Lakes and their connecting channels. It relates also to that portion of the St. Lawrence south of the northern boundary of New York.



While the St. Lawrence River itself was the subject of further diplomatic exchanges between the two nations, no change in the international status of the stream was made from 1794 until the treaty of Ghent in 1814.

That treaty further clarified the boundary line along the course of the St. Lawrence River (Iroquois or Cataraguy), from the forty-fifth degree of latitude westward through the Great Lakes to Lake-of-the-Woods and provided for commissioners to determine such boundary. The commissioners appointed under that treaty rendered their decision in 1822.

It is interesting to note that the convention of commerce and navigation in 1815 restored to the citizens of the United States and to the subjects of Great Britain all the rights and privileges held by them prior to such treaty. Article II of that treaty says:

The intercourse between the United States and his Britannic Majesty's possessions in the West Indies, and on the continent of North America, shall not be affected \* \* \* but each party shall remain in the complete possession of its rights, with respect to such an intercourse.

In 1817 the Bagot-Rush agreement for limitation of naval armaments on the Great Lakes was proclaimed by President James Monroe. Since that time, by agreement of the two nations, these international waters have been without gun or ship or fortress intended as a threat on the part of either toward the other.

In the treaty of 1842 the mind of the two nations is still further shown as drawing together to one common purpose, when in Article II of that treaty they agree:

It being understood that all the water communications and all the usual portages along the line from Lake Superior to the Lake of the Woods, and also Grand Portage, from the shore of Lake Superior to the Pigeon River, as now actually used, shall be free and open to the use of the citizens and subjects of both countries.

Again, in Article III of the same treaty, the River St. John, forming part of the boundary between the United States and Canada, and in part a stream wholly within the Province of New Brunswick, was declared "free and open to both parties and shall in no way be obstructed by either."

Then, in Article VII of the same treaty, we come once more to the Great Lakes-St. Lawrence waterway, and the rights of both nations are further clarified by the provision that—

The channels in the River St. Lawrence on both sides of the Long Sault Islands and of Barnhart Island, the channels in the River Detroit on both sides of the Island Bois Blanc, and between that island and both the American and Canadian shores, and all the several channels and passages between the various islands lying near the junction of the River St. Clair with the lake of that name, shall be equally free and open to the ships, vessels, and boats of both parties.

#### NAVIGATION RIGHTS AS APART FROM RIGHTS OF JURISDICTION

In 1846 the northwest boundary treaty with Great Britain granted to all British subjects free access by means of the Columbia to territories north of the American border. It was further agreed that the usual portages should be free and open to British subjects and to citizens of the United States on the same footing; but for our further understanding of the groundwork of the now desired negotiations with Canada, Article II of that treaty, after granting to all British subjects full rights of navigation in the Columbia, made this reasonable provision:

\* \* \* nothing in this article shall be construed as preventing or intending to prevent the Government of the United States from making any regulations respecting the navigation of the said river or rivers not inconsistent with the present treaty.

The United States wisely withheld as a right inherent to it as a nation full police powers over navigation within its borders. Thus, 81 years ago, there had been established in the relations between the two nations two fundamental principles that still remain to guide us, the first principle being that navigation rights ought to be possessed by a people living upon a navigable stream, the second and the natural corollary to that being that police powers naturally belong to the nation through whose territories the stream flows.

Again, in 1850 the United States entered into an agreement with Great Britain relative to the building of a ship canal connecting the Atlantic and Pacific Oceans. This is what is known in history as the Clayton-Bulwer treaty. This treaty is of interest to us as showing the mind of the two nations relative to such channels of commerce and indicating the proper restrictions which as long ago as 1850 they believed should be placed upon such a common property.

Article V of the treaty of 1850 agrees that the two nations will protect the proposed canal from interruption; that they

will guarantee its neutrality; and that it shall forever be open and free. In this treaty the Great Lakes-St. Lawrence route again enters the picture and a further adjustment of the boundary line in the Niagara River was made for the mutual benefit of the shipping commerce of both nations.

This is important because it proves the historical attitude of the United States and Great Britain relative to the continuous development of the shipping lanes of the Great Lakes and St. Lawrence as the need has arisen.

In 1854, 72 years after the original compact between the United States and Great Britain, during which time the gradually developing commerce of citizens of the United States had enjoyed the use of the St. Lawrence and the Canadians had likewise enjoyed the use of American waters on or adjacent to the international boundary, the first definite understanding between the two nations with reference to that part of the St. Lawrence wholly within the Dominion of Canada was entered into.

I quote Article IV of that treaty negotiated between W. L. Marcy, for the United States, and Lord Elgin, for Great Britain. The language of the treaty runs:

It is agreed that the citizens and inhabitants of the United States shall have the right to navigate the river St. Lawrence and the canals in Canada used as the means of communicating between the Great Lakes and the Atlantic ocean, with their vessels, boats, and crafts, as fully and freely as the subjects of Her Britannic Majesty, subject only to the same tolls and other assessments as now are, or may hereafter be, exacted to Her Majesty's said subjects; it being understood, however, that the British Government retains the right of suspending this privilege on giving due notice thereof to the Government of the United States.

It is further agreed that if at any time the British Government should exercise the said reserved right, the Government of the United States shall have the right of suspending, if it think fit, the operations of Article III of the present treaty, in so far as the Province of Canada is affected thereby, for so long as the suspension of the free navigation of the river St. Lawrence or the canals may continue.

It is further agreed that British subjects shall have the right freely to navigate Lake Michigan with their vessels, boats, and crafts so long as the privilege of navigating the River St. Lawrence, secured to American citizens by the above clause of the present article, shall continue; and the Government of the United States further engages to urge upon the State governments to secure to the subjects of Her Britannic Majesty the use of the several State canals on terms of equality with the inhabitants of the United States.

In the nature of things this agreement, based as it was upon temporary commercial relationships, could not long endure. It is significant that the mutuality of interest theory that all the way down from the earliest days in our national life underlay Anglo-American relations with regard to the Great Lakes and the St. Lawrence, continue in this treaty to find expression and that equal freedom of commerce is by the terms of the treaty extended to the canals on either side of the border.

#### UNITED STATES-CANADIAN JOINT NAVIGATION RIGHTS IN ST. LAWRENCE

The treaty of 1854 lapsed by a notice from the United States on March 17, 1866. In the meantime the war between the States had given rise to considerations of grave international importance, and on May 8, 1871, the treaty of Washington was concluded, ratified by the Senate on May 24, and proclaimed July 4 of the same year. Two articles of that treaty relate in a peculiar manner to the subject now under discussion. They are the XXVI and XXVII articles, and they read as follows:

ART. XXVI. The navigation of the River St. Lawrence, ascending and descending, from the forty-fifth parallel of north latitude, where it ceases to form the boundary between the two countries, from, to, and into the sea, shall forever remain free and open for the purposes of commerce to the citizens of the United States, subject to any laws and regulations of Great Britain or of the Dominion of Canada not inconsistent with such privilege of free navigation.

The navigation of the rivers Yukon, Porcupine, and Stikine, ascending and descending, from, to, and into the sea, shall forever remain free and open for the purposes of commerce to the subjects of her Britannic Majesty and to the citizens of the United States, subject to any laws and regulations of either country within its own territory, not inconsistent with such privilege of free navigation.

ART. XXVII. The Government of Her Britannic Majesty engages to urge upon the Government of the Dominion of Canada to secure to the citizens of the United States the use of the Welland, St. Lawrence, and other canals in the Dominion on terms of equality with the inhabitants of the Dominion; and the Government of the United States engages that the subjects of Her Britannic Majesty shall enjoy the use of the St. Clair Flats Canal on terms of equality with the inhabitants of the United States, and further engages to urge upon the State governments to secure to the subjects of Her Britannic Majesty the use of the several State canals connected with the navigation of the lakes or rivers

traversed by or contiguous to the boundary line between the possessions of the high contracting parties, on terms of equality with the inhabitants of the United States.

**FULL EXCHANGE OF NAVIGATION RIGHTS—ALL OTHER RIGHTS RESERVED**

Observe what we gave and what we got. Observe that the United States gave certain navigation usage rights, and such usage rights only, in the Yukon, Porcupine, and Stikine and that Great Britain gave in exchange navigation usage rights, and such usage rights only, in the St. Lawrence, from the forty-fifth parallel of north latitude to the ocean. Please observe the language. The exchange is to be "forever." The right to navigate the St. Lawrence River can not be abrogated. The right to navigate the Yukon, for many hundreds of miles an American stream, is absolutely and forever conferred upon any and every British subject who desires to use it.

But note that again, as in the case of the Columbia, both Nations specifically reserve their inherent police powers. Such exchange of navigation right is—subject to any laws and regulations of either country within its own territory not inconsistent with such privilege of free navigation.

Article XXVII further provides that the commerce of both nations shall enjoy common and equal rights and privileges within the canals or navigable waters of either.

Here we have, in this treaty of 1871, the bedrock of common property right to the navigation of the St. Lawrence as distinguished from any possession or claim of possession of rights extending beyond navigation upon which to establish the lasting structure of a present agreement that shall provide a seaway from the Great Lakes to the Atlantic.

**DUTY OF BOTH NATIONS TO IMPROVE ST. LAWRENCE**

But the story is not complete.

Once more, after more than a generation of friendly and joint use of the Great Lakes and St. Lawrence River had passed, the two nations met in 1909 to still further clarify their joint usage of the great waterway extending from the heart of the continent to the Atlantic. This agreement, known as the 1909 boundary waters treaty, declares that—

The navigation of all navigable boundary waters shall forever continue free and open for the purposes of commerce to the inhabitants and to the ships, vessels, and boats of both countries equally, subject, however, to any laws and regulations of either country, within its own territory, not inconsistent with such privilege of free navigation and applying equally and without discrimination to the inhabitants, ships, vessels, and boats of both countries.

Note that the language here used is broader in its scope than in the treaty of 1871. Again the two nations clearly distinguish between the Great Lakes and their connecting channels when considered as a highway of commerce, and as such the indivisible and common property of both nations, and those other and exclusive territorial rights, police powers, and other natural appurtenances of sovereignty which throughout their history both nations have maintained as inalienable.

Again in the last paragraph, which reads as follows:

It is further agreed that so long as this treaty shall remain in force, this same right of navigation shall extend to the waters of Lake Michigan and to all canals connecting boundary waters now existing or which may hereafter be constructed on either side of the line.

Note that the language of the treaty covers canals "which may hereafter be constructed." We possess, now, every navigation usage right necessary. That much is clear. Police power we do not seek. We have denied them to Great Britain in the case of the Columbia and of the Stikine and Yukon. They are denied to us in the wholly Canadian portion of the St. Lawrence. Both nations are in perfect agreement as to principle and practice. How absurd to argue that either nation desires the slightest extension of its sovereignty rights beyond that of the free and equal use of navigable waters, the usage of which belongs in common to the two peoples!

That the 1909 treaty of Washington was to be a living, working agreement is shown by the further fact that this treaty established the International Joint Commission, clothed with powers that constitute it a superior court in all matters involving (I quote from Article VIII of that treaty)—

the use or obstruction or diversion of the waters with respect to which Articles III and IV of this treaty the approval of this commission is required.

Can language be plainer than this? Can anyone longer doubt that the real purpose, both expressed and implied, not only of the treaty of 1909, but of those precedent to it and particularly the basic treaty of 1871, lead up to and have resulted in both a legal and an actually working joint ownership of the usage of waters constituting the Great Lakes-St. Lawrence waterway—that such joint ownership is limited

to navigation usage and that such joint ownership of usage rights involves not only the right but the duty of both nations to develop and improve the waterway as the necessities of commerce arise?

**IMPROVEMENTS AND EXPENDITURES TO DATE**

The United States has expended in the dredged channels of the Great Lakes between Lake Superior and Lake Erie, according to the United States Army engineers, \$44,721,319.69. This expenditure by the United States has provided for the building of locks at the "Soo," the improvement of the channels of the St. Clair and Detroit Rivers. It has given to both nations an inland ocean extending from the head of the Lakes to Buffalo, an ocean carrying a tonnage equal, in ton-miles, to one-fourth that of all the freight borne by the railroads of the United States.

This is a vast change from the conditions that met the first users of the Great Lakes. These Lakes were then practically separated. The channel between Lake Erie and Lake Huron was available only to shallow-draft boats. Shoals at the foot of the Detroit River, shallow water in Lake St. Clair, shoals at the mouth of the St. Clair River—all these had to be deepened and widened; lights, buoys, and markings set for navigation. The rapids in the "Soo" separating Lake Superior from Lake Huron called for the building of locks so that shipping might pass. All together, nearly 100 miles of channel have been deepened and widened in this process of gradual improvement. With this improvement has come the deepening and development of the harbors of the Great Lakes until to-day we may say that the entire system from Buffalo westward is complete for vessels of 20 feet draft and less.

Meanwhile, what has Canada done? Canada has so far spent or is spending, according to the House of Commons of the Dominion, more than \$230,000,000 in the improvement of this great seaway. While we have been talking about a St. Lawrence ship channel, Canada has been digging it. While we have been talking about the future improvement of the Great Lakes-St. Lawrence seaway, Canada has been building the gigantic Welland ship canal—a necessary link in the system. From Montreal to Quebec and from Quebec to the ocean, Canada has swept the waterway, deepened the shoals, widened the channels, and has made Montreal a modern ocean port of the first order, second only to New York on the North American Continent, so far as overseas traffic is concerned.

Montreal compares with the greatest ports in the world. On the Atlantic coast only New York and Hampton Roads exceed her in main-channel depth, and only the port of New York is visited by larger vessels than those that steam up the St. Lawrence a thousand miles from the Strait of Belle Isle in order to reach her commodious harbor. Again mentioning expenditure, in that portion of the St. Lawrence at and below Montreal, Canada has already spent something like \$30,000,000, and upon the completion of dredging works now under way a channel depth of 35 feet as far as Montreal is assured.

The Welland ship canal, now more than half finished, and with all remaining contracts let for completion by 1930, will cost Canada, when finished, to a 27-foot depth, approximately \$115,600,000. That canal, having a channel depth of 27 feet and lock sills of 30 feet below water level, will pass through from Lake Ontario to Lake Erie all but the largest ocean liners.

In addition to these great projects, Canada, in 1821, began building the first of that great series of canals connecting Lake Ontario with Montreal, which it is the purpose of the proposed St. Lawrence ship channel now to displace as antiquated and insufficient in size. In this 14-foot now-out-of-date series of canals Canada has expended, for construction account, a total of \$53,131,925. In the 14-foot New Welland Canal now in use, \$29,908,498. Her capital expenditures, made or provided for to date, are:

At the "Soo" (Canadian Lock).....	\$5,560,009
New Welland (14-foot canal now in use).....	29,908,498
St. Lawrence (14-foot canals now in use).....	53,131,925
St. Lawrence (Montreal to Atlantic).....	30,655,177
Welland Ship Canal (now building, 27 feet).....	115,600,000
	<hr/>
Less canals to be scrapped.....	234,855,609
	83,040,423

Net Canadian investment..... 151,815,176

The grand total of \$234,855,609 contains two items—the one being that capital investment which will be rendered obsolete upon the completion of the Welland ship canal and the St. Lawrence seaway, the other item being those improvements which will become an integral part in such seaway. If we deduct from this grand total capital investment—which is ours for navigation use on exactly the same free terms that Canadians enjoy—if we deduct from this investment the construction cost of the now operating Welland and St. Lawrence Canals, there is



still left, in the form of permanent works usable as a part of the great coming seaway, an estimated net investment by Canada amounting to \$151,815,176.

#### CANADA HAS BEEN DIGGING!

So it can hardly be said that Canada has been an idle partner in the enterprise of uniting the Great Lakes one with the other and with the Atlantic. The facts indicate the exact contrary, and to those who ask the question, "Will Canada join with us?" a sufficient answer is, "Canada has been digging for more than a hundred years. And to-day Canada is digging a gigantic ship canal from Lake Erie to Lake Ontario, the value of which depends upon the ultimate connection of the Great Lakes with the ocean." Are not her deeds sufficient proof of her purpose and of her sincerity?

#### WHO GOT THE BENEFITS?

Before passing to the question of the uses to which this great waterway has been and is being put, let me call attention to the fact that these various improvements cited have not been for the especial benefit of the commerce of either nation. Every dollar of money invested by the United States that has resulted in the form of deeper channels and in better and safer navigation conditions has been equally at the disposal of our own commerce and that of Canada. Every expenditure of money on the part of Canada for the improvement of this waterway has benefited United States commerce exactly to the degree which it made use of such improvements, and the two nations have not been overparticular about territorial rights when it came to a matter of expenditures.

In two notable cases we crossed over and made improvements in Canadian territory. We carried on dredging operations at the mouth of the St. Clair River, within Canadian territory, and, again, we expended something like \$8,000,000 in the Livingstone Channel in the lower Detroit River, largely on the Canadian side of the international boundary line. No question beyond the matter of asking for and securing permission has ever arisen either of our right to do this, or that by so doing we established any rights within the borders of our neighbor nation other than those possessed under the treaty giving us equal navigation usage.

#### OUR JOINT USE OF A JOINT WATERWAY

The often repeated and entirely fallacious argument that we can not afford to join with Canada in improving the St. Lawrence because it is partially within Canadian territory is refuted by the facts of our joint development of the channels between the Great Lakes. The international boundary line, beginning at the northern boundary of the State of New York, passes up the St. Lawrence River, and the ship channel swings to one side or the other of that boundary line, with no regard as to whether it is in American or Canadian territory. The same thing is true in the Detroit and St. Clair Rivers, and, again, it is true in the St. Marys River. In these three last-mentioned rivers the channel course followed by the vessels of both nations crosses and recrosses the international boundary something like 20 times. There is no such thing as a United States ship channel from Buffalo to the head of Lake Superior. There is no such thing as a Canadian ship channel from Port Arthur to the head of the Welland Canal. But it is clearly expressed in treaty right, clearly established in the practical development of the waterway used with equal right by both nations, that the usage of the ship channel is the common property of both nations. This common-usage right does not cease at the head of the Welland Canal, though that waterway was built by Canada with Canadian money. It is used by American shipping on exactly the same terms as are offered to Canadian ships—that is to say, without any charge—and in like manner the canals of the St. Lawrence are open to our ships and carry our commerce on the same terms as they carry the ships and commerce of our Canadian neighbors.

It may be interesting to note that the 1925 figures for traffic through the locks at the "Soo" indicate a passage of 81,875,108 tons, of which 98 per cent passed through the American locks, built and operated at American expense, and 2 per cent passed through the Canadian lock, built and operated by Canada. This traffic included some 200,000,000 bushels of grain moving out of the Canadian northwest to Europe. Canadian grain and Canadian ships used without let or hindrance American-built locks, and we use theirs at the "Soo" on precisely the same terms.

It should be noted that the 14-foot Welland Canal, now in use, and the St. Lawrence canals of like depth with an annual capacity of around 6,000,000 tons per year, are at present and for years have been working practically to their full capacity in moving the products of the mid-West from the foot of Lake Erie on to the ocean by way of Montreal. Of this traffic 63,000,000 bushels was wheat from the United States interior, according to the figures for 1923.

The use of the St. Lawrence waterway to its full present capacity has been a matter of reasonably slow growth. The St. Lawrence and Great Lakes was the first highway by which Canada reached its western territories. Likewise the Great Lakes was the great trail of the pioneers of Michigan, Wisconsin, Illinois, Iowa, and Minnesota. From the days of the Revolution onward the St. Lawrence was used both by Canadians and Americans. Never in all that history has such use been abandoned on the part of the United States.

#### COMMERCE THAT WILL BE BENEFITED

That the significance of this joint use may not be underrated, that the widespread benefits of the St. Lawrence seaway may better be appreciated, I enter into the record a summary of available traffic, both export and import, which the Great Lakes-St. Lawrence Tidewater Association recently prepared and submitted to the St. Lawrence Commission of the United States as its economic findings of benefits that would result from the building of the St. Lawrence ship channel. The preparation of these figures was under the direction of an official association of 21 States, organized for the purpose of securing economic facts bearing favorably or otherwise upon the value of the midwest of such a waterway. These States could not afford to blind themselves. They could not afford to stake their future economic prosperity on false premises. They intrusted the work of estimating these figures to an internationally known transportation expert—Alfred H. Ritter, of the United States War Department. He does not say, nor do the associated States presume to say, that all the products mentioned will move via the waterway when it is opened, but it is held, and with good reason, that all the products named, whether they move via the St. Lawrence waterway or not, will share in the benefits which a cheap major transportation route will bring to the interior of the continent. They will have the benefits of sea rates. They will have an option between such sea rates and such direct ocean movement and the present land and ocean rates via the Atlantic coast.

Here are the figures for export, import, and domestic intra-coastal traffic, from and to the marooned interior, as computed for and by the Great Lakes-St. Lawrence Tidewater Association:

	Tons
<b>Exports:</b>	
Grain (400,000,000) bushels.....	10,000,000
Flour and meal.....	1,211,301
Hominy and grits.....	84,543
Cereal foods, various.....	12,985
Feeds.....	31,580
Starch, glucose, and corn sugar.....	208,075
Meats.....	263,781
Animal oils and fats.....	366,173
Linseed cake and meal.....	128,331
Chemicals, miscellaneous.....	82,905
Iron and steel.....	905,395
Copper.....	106,765
Paper.....	39,771
Soap.....	13,979
Sulphate of ammonia.....	88,270
Automobiles and parts.....	115,222
Agricultural implements.....	54,527
All other.....	2,000,000
<b>Total.....</b>	<b>15,713,603</b>
<b>Imports:</b>	
Fish.....	20,338
Rice.....	10,442
Vegetables and preparations.....	63,370
Bananas.....	390,200
Pineapples.....	34,577
Other fruits.....	59,150
Nuts.....	59,140
Cocoa and cacao.....	56,480
Coffee.....	196,130
Sugar.....	950,000
Tea.....	16,750
Spices.....	18,440
Asphalt.....	35,920
China, earthenware, and stoneware.....	2,830
Vegetable oils and oil seeds.....	316,666
Rubber and substitutes.....	210,362
Gums and resins.....	23,966
Dyeing and tanning materials.....	38,905
Wood pulp.....	230,034
Paper.....	73,500
Rags and other paper stock.....	97,822
Cabinet woods.....	66,370
Clay.....	135,282
Chalk.....	60,450
Pyrites.....	66,091
Magnetite.....	83,320
Manganese, ferromanganese, etc.....	399,051
Tin.....	47,772
Hides and skins.....	62,664
All other.....	1,000,000
<b>Total.....</b>	<b>4,826,022</b>
<b>Intracoastal:</b>	
Automobiles.....	975,000
Flour.....	660,000
Lumber.....	1,500,000

## Intracoastal—Continued.

	Tons
Sulphur	500,000
Iron ore	1,000,000
All other	5,000,000
Total	9,635,000
Grand total	30,174,625

## EFFECTS OF OPENING THE SEAWAY

The effect of opening the Great Lakes to world shipping would be to put the grain buyers of the interior of the United States in competition with each other and to lift the price to the farmer approximately by the amount which the cost of transportation had been reduced. There is no escaping the logic of this situation. Such price increase would be added to every bushel of grain purchased, whether purchased for export or not. No living buyer could tell whether his grain was going to be used in the United States or abroad. He could not hold back on the price and pocket the gain accruing from lowered transportation to world markets. He would be compelled to pay according to the new price levels established by such new transportation costs, and by such freely competitive movement, and the farmer, the merchant, the banker, and the manufacturer, every one embraced in the great circle of agriculture and agricultural prosperity or adversity would become the immediate beneficiary of the reduced rates and increased prices.

Who can doubt that equally important benefits will result to the steel and automobile industries, to the lumber industry of the Pacific Coast, enabled by reason of the St. Lawrence to bring its products into the vast consuming centers of the Middle West; or that it would apply to the industries of New England now shut off by reason of high transportation costs from their logical midcontinental market? It would apply to the South Atlantic coast with its natural interchange of products between that section and the interior—not only would the mid-West benefit, but each and every section of the Nation would prosper by reason of extending the sea base into and nearly halfway across the heart of North America.

And the same benefits which I have indicated as assured to the United States upon the building of the St. Lawrence ship channel, benefits which, according to the President's commission, the St. Lawrence Commission of the United States, Herbert Hoover, chairman, would annually repay the original cost. These same benefits would apply to Canada, where the economic situation is practically identical with our own and where the possibilities for future expansion are correspondingly great.

The factors have been weighed. As far as human skill and knowledge can accomplish that result they have been measured and totaled up. The engineering and economic opinion of this Nation has been invoked and we are told to go forward. The "bogy" of "all-Americanism" that has been raised has been swept aside by the very forces that are particularly interested in protecting our national interests—the United States Army Engineers.

We have, as I have already shown, long-established and sufficient rights in the joint waterway that constitutes the Great Lakes, their connecting rivers and canals, and the St. Lawrence River and its canals.

## HISTORY OF PENDING NEGOTIATIONS

The report of the St. Lawrence Commission of the United States is the final outcome of studies that have been under way for 32 years. In 1895 the Chamber of Commerce of Cleveland, Ohio, petitioned this House for a survey of a ship canal from the Great Lakes to the Atlantic. Senate Resolution 129 of the session of 1895, introduced by Senator Vilas, of Wisconsin, authorizing a preliminary inquiry for a deep waterway between the ocean and the Great Lakes, was passed by the Senate, unanimously approved by the Interstate and Foreign Affairs Committee of the House, passed the House, and became a law March 2, 1895. Thus was created what is known as the Deep Waterways Commission, of which James B. Angell, chairman, Michigan; John E. Russell, of Massachusetts; and Lyman E. Cooley, of Illinois, were members.

The report of the Deep Waterways Commission, a notable statement, submitted to the second session of the Fifty-fourth Congress and printed as House Document No. 192, to be found in volume No. 51, House documents (Congressional Library), says on page 16:

The St. Lawrence route is justified as a seaboard route on its merits and independent of all other considerations.

Again on the same page it says:

This route is capable of development to any useful capacity.

And still again, on page 17:

The situation is not unlike and more emphatic than that of France between the Mediterranean and the Atlantic, with physical conditions,

such as France does not possess, inviting a water route of the first magnitude.

A Canadian commission, appointed under the terms of the resolution noted, cooperated with the Deep Waterways Commission, furnished it all available material, and made special surveys within Canadian territory that would assist the United States commission in arriving at its conclusions. The members of the Canadian commission were: Oliver A. Howland, M. P., Toronto; Thomas C. Keefer, C. E., Ottawa; Thomas Monro, C. E., Coteau Landing.

I particularly wish to call your attention to this cooperating Canadian commission in order to establish the fact that from the beginning of these studies relating to a deep waterway between the Great Lakes and the Atlantic, Canada has joined with us in friendly rivalry to secure all the facts necessary to the construction of the best, most serviceable ship channel.

The final conclusion reached by the Deep Waterways Commission of 1895-1897 was that—

The completion of the entire system as quickly as proper projects can be matured and economically executed is fully justified.

The reason why the Deep Waterways Commission of 1895 did not recommend the St. Lawrence route to Congress and to its successor, the deep waterways board, created upon its recommendations, was stated in the following language:

It is recognized that the foreign movement is largely incidental to the lines of domestic commerce and that by comparison the ratio of domestic movement in this direction is destined to be small; so the St. Lawrence route is not to be taken as a solution of the seaboard problem.

Very good logic in 1897. Very poor logic in 1927! When that report was rendered Pittsburgh was the western outpost of our manufacturing empire. The automobile industry had not been heard of. The vast industrial development of the Great Lakes region had scarcely begun. Agriculture beyond the Mississippi was still in its first stages of development. The vast expansion of the Canadian northwest was then only foreshadowed.

The fact that the interior was to become the tremendous factor in foreign commerce which it now is was not evident.

In submitting to Congress the report of the Deep Waterways Commission of 1897, President Grover Cleveland said:

The advantage of direct and unbroken water transportation of the products of our Western States and Territories from convenient points of shipment to our seaboard ports are plainly palpable. The report of the commissioners contains, in my opinion, demonstration of the feasibility of securing such transportation, and gives ground for the anticipation that better and more uninterrupted commerce through the plan suggested, between the great West and foreign ports, with the increase of national prosperity which must follow in its train, will not long escape American enterprise and activity.

On the advice of the Deep Waterways Commission the deep waterways board of 1900 was appointed. Congress appropriated \$150,000 for the prosecution of its work, and it was instructed to make—

surveys and examination—

Including estimate of cost—

of deep waterways and routes thereof between the Great Lakes and the Atlantic tidewaters, as recommended by the report of the Deep Waterways Commission—

The specific attention of the board being called to the Oswego-Oneida-Mohawk route, and to the St. Lawrence-Champlain route.

## WHAT THE 1900 COMMISSION SAID

It is worthy of note that the Deep Waterways Board in its report, filed June 30, 1900, after having been specifically instructed to find the best route available across the State of New York and to determine the cost of such a route felt compelled to say (p. 50, vol. 1, Deep Waterways Board Report):

The project for a waterway from the Lakes to the Atlantic suitable for transporting the commerce of the upper Lakes has prominently attracted public attention for nearly a century, during which time the citizens of New York have maintained that such waterway must be built directly across the State, as an aid in building up the financial and commercial supremacy of New York City, while the people farther west have insisted that the canal should be constructed on the route best adapted for transporting the commerce of the country tributary to the Lakes \* \* \*

It was then, and is still, openly admitted that the St. Lawrence River is the natural outlet and the line of least resistance for a waterway from the Great Lakes to tidewater, but that for New York State



to permit such canal to be built would be to commit commercial suicide.

The next active step in connection with the development of present-day projects and plans was taken when the treaty of 1909 between Great Britain and the United States was signed and the various international questions then existing with relation to the Great Lakes-St. Lawrence waterway were cleared up. The appointment of the International Joint Commission authorized by that treaty followed, and in the rivers and harbors act of March 2, 1919, the International Joint Commission was instructed to inquire into the practicability of deepening the St. Lawrence, and at the same time provision was made for a joint engineering study and report.

The International Joint Commission held hearings in 16 States, extending from New York westward to the Pacific, and visited 5 Provinces—Quebec, Ontario, Manitoba, Saskatchewan, and Alberta. At these hearings business men, manufacturers, railroad officials, farmers—all classes of interests—testified as to the need of such transportation relief, and because of such testimony the International Joint Commission made a unanimous report in favor of the project. The engineering phase of the problem, referred to the Joint Board of Engineers, was completed and filed as an engineering report in 1921. In January, 1922, President Harding transmitted the report to the Senate Committee on Foreign Relations, and that report is printed as Senate Document No. 114, second session of the Sixty-seventh Congress.

#### JOINT COMMISSION REPORT OF 1921

The more important recommendations of the International Joint Commission were:

That the physical conditions are favorable for improvements for navigation which will be permanent and will have very low upkeep costs.

That improvement of the entire reach from Montreal to Lake Ontario for navigation alone is feasible, but the loss of the power that can be generated as a by-product in some reaches is not warranted.

That the development of nearly all the potential power in the river, amounting to approximately 4,100,000 horsepower, can be made as coordinate parts of schemes for the improvement of navigation.

That the simultaneous development of such a vast quantity of power is not a sound economic procedure, as a market to take this output is not now in existence and can not be expected to spring into being at once.

That the sound method of procedure is to improve for navigation alone those reaches where side canals and locks can most economically be used, and where the development of the power at some future time is not interfered with by the proposed improvement; and in that part of the river where the construction of locks and dams offers the most feasible means of improvement to navigation to provide for the development of the incidental power obtainable as a result of the heads created by the dams.

#### PRESENT NEGOTIATIONS BEGIN

On May 17, 1922, Secretary of State Charles Evans Hughes, speaking for the United States—

sent to the British Ambassador a letter indicating that the United States Government would be glad to take up with the Canadian Government the negotiation of a treaty looking to the deepening of the waterways which would enable ocean-going ships to reach the Great Lakes.

To this the British Ambassador replied, in part, June 5, 1922, that:

The competent authorities of the Canadian Government have advised the governor general that they have not, up to the present, had an opportunity to give to the report of the International Joint Commission, and the accompanying report of the board of engineers appointed to examine the subject, that careful consideration which their importance merits. Moreover, having regard to the magnitude of the project and the large outlay of public money involved, the Canadian Government is of the opinion that it is not considered expedient to deal with this matter at the present time.

This suspended but did not close the correspondence. Under date of January 30, 1924, H. G. Chilton, of the British Embassy at Washington, addressed to Secretary Charles Evans Hughes a further letter in reply to the Secretary of State's proposal of May 17, 1922. In this letter Mr. Chilton says:

While the Government of Canada desires to give further consideration to the suggestions put forward in your note of May 17, 1922, they are of opinion that the proposal made by the International Joint Commission should be acted upon without further delay. The Dominion Government are accordingly prepared to appoint additional engineers to enlarge the joint engineering board, with a view to the board undertaking the preparation of a final report covering the engineering features of the whole project, including its cost. The Government of Canada intend, further, to form a committee which will, in consulta-

tion with the Canadian members of the joint engineering board, inquire fully, from a national standpoint, into the wide questions involved, and they hope shortly to be in a position to take further action on the proposals made by the United States Government.

This statement, pointing out that Canada was ready to proceed to a detailed engineering survey and ultimately to a treaty, is accompanied by a supplementary note from the British Embassy, which states that in the American note of May 17, 1922:

You suggested either the immediate conclusion of a treaty looking to the development of the St. Lawrence waterway along the lines recommended by the International Joint Commission in its report and providing for the constitution of a joint commission charged with the formulation of a complete plan, which would be subject to the approval of the two Governments, or alternatively, the constitution of a joint commission of experts to make preliminary studies and investigations and to frame the draft of a treaty.

I wish to call the attention of the Members of this House to the language of the letter I have just read. On May 17, 1922, alternative suggestions were made by this Government. Canada chose the suggestion made by us for a further study of engineering and economic facts. Again we approved that course of action, appointed our engineers, named our economists—all pointing to the definite goal of an agreement, if justified by the findings. And the findings abundantly justify such an agreement.

The correspondence relating to the appointment of the joint board of engineers and also with respect to the appointment of the economic commissions is a matter of public record. The only additional point worth reciting here is the fact that the United States advanced the idea of a joint economic commission and Canada preferred that the economic studies should be made by separate commissions, reporting, respectively, to the Canadian and American Governments.

What was the purpose of such separate advisory commissions and separate advisory reports if it were not that this final joint engineering study and these economic reports should result in an agreement?

#### THE RECORD IS PLAIN—A TREATY IS INDICATED

The record is plain. Negotiations looking toward an agreement between the United States and Canada providing for the building of the St. Lawrence ship channel are now under way. They have been in progress since the time of the Wilson and Harding administrations. They have been, as the record shows, followed up by this administration. They do not need the sanction of this House.

The President has before him all the facts, both engineering and economic, necessary to the making of a working agreement with Canada. He has before him the studies relative to the need and the practicability of a St. Lawrence seaway made by the Deep Waterways Board of 1897. He has before him the fact that the treaty of 1909 created the International Joint Commission, a permanent body clothed with judicial powers with respect to boundary waters and with special powers of inquiry into matters relating to the two nations. He has before him the fact that Congress in 1919 deliberately, purposefully referred to this International Joint Commission as a proper and highly important matter for its consideration the question of whether or not a seaway from the Great Lakes to the Atlantic via the St. Lawrence was practical, both from the engineering and economic standpoints. He has before him the fact that each government designated men of the highest ability as a joint board to inquire into the engineering facts. He has before him the fact that the International Joint Commission, having access to and considering this engineering report, held 44 hearings in 16 States and 5 Provinces of Canada, and that these hearings so held satisfied that body that such a seaway was a matter of international public necessity and of international public demand. It is a matter of record that this Government did, on May 17, 1922, ask Canada for an agreement, or that, if she so desired, still further engineering and economic studies be made looking toward such a treaty. It is a matter of record that in 1924 Canada, far from refusing to negotiate, responded to the suggestion made by this Government that a more detailed engineering survey by an enlarged board of engineers and a still further economic study be made of the situation. Acting upon this, the United States and Canada appointed a joint review board of engineers whose unanimous and favorable report is now in the hands of the President. He has before him the findings of the St. Lawrence Commission of the United States—the economic body appointed by him to review and to report to him upon the economic need for the St. Lawrence seaway.

Surely a vast amount of thorough and painstaking work has been done, the goal toward which all of these studies have been directed is within sight, and I feel confident that final negotia-

tions will consummate a treaty before Congress is again in session. This can well be the aim of both the United States and Canada for the benefits that will accrue will be for the people of both countries.

#### AUTHORITIES CITED

St. Lawrence Commission of the United States Report to the President, December 27, 1926.

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[NOTE.—Except for the 1812-1814 period Americans used the St. Lawrence under the most favored nation clause of the treaties of 1782, 1794, and 1815.]

[NOTE.—All treaty references and quotations from treaties from 1782 to and including the Washington treaty of 1909 are taken from Volumes I and III of Malloy's "Treaties, Conventions, and International Acts," published by United States Government Printing Office, 1910.]

Report Joint Board of Engineers, December 6, 1926.

See page 444, Canadian Engineer, published Toronto, Issue of March 30, 1926.

Annual Report, Chief of Engineers, United States Army, for 1926.

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"Transportation Economics of the Great Lakes-St. Lawrence Ship Channel," pages 123-124.

"Transportation Economics"—Ritter, page 178.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The CHAIRMAN. The gentleman from Colorado [Mr. TAYLOR] has one minute remaining, and the gentleman from Indiana [Mr. Wood] has 38 minutes remaining.

Mr. TAYLOR of Colorado. I yield to the gentleman from Indiana.

Mr. WOOD. Mr. Chairman and gentlemen of the committee, for the purpose of expediting the business of this Congress in these last days, when there is much that should be done, with the probability of much failing to be done that should be done, I will curtail what I have to say with reference to this appropriation bill that we have before us for consideration within a very moderate time. I know that every one here and those who are not here, who are largely in the majority, have matters of concern that they wish to be passed upon during this Congress. I know that there is a tension incident to the last days of every Congress. I feel that the best service that can be rendered to the country in the expedition of the business of this Congress in these last days can be had in the allaying as best we can our temperamental propensities. Nothing can be had or helped on this side by inaugurating, as suggested by one of the speakers this morning, a filibuster on a certain bill. Nothing can be had, so far as the benefit of the whole country is concerned, by trying to avenge whatever disappointment we may have in not getting a particular thing that we would like to have had in this Congress by trying to defeat some measure that may be a benefit to some other section of the country. The natural inclination of the human organization seems to be to get even, but we should try and forget that, as best we can, in the realization of the fact that we are the Representatives of the people of the United States first, and that we should not magnify the importance of our own peculiar selfish interests in our own locality to the detriment of that which is best for the people of the United States.

I can join in the disappointment that has come by reason of the action of the President of the United States in vetoing the McNary-Haugen bill, but by reason of that disappointment it does not become me, and it does not become any Member of this Congress, to let that disappointment interfere with the discharge of the duty we owe to the whole people of the United States. [Applause.] Mistakes may occur here, but there is an opportunity to remedy them. This Congress may be right in the position it has taken with reference to the McNary-Haugen bill. It is a matter of experimentation. The President of the United States, who has been charged with one of the greatest responsibilities in the determination of this question that any President has ever been charged with since the beginning of this Republic of ours, certainly has weighed this question long and well. I differ with him in the position he has taken, but I may be wrong. He is the representative of all the people and is charged in larger measure with those affecting the best in-

terests of all sections than is any Member of this House or the other House. So I say we should submerge our disappointment, if disappointment there be, in that larger responsibility which is ours in the discharge of our whole duty to this country. I am willing to do this. [Applause.]

Now, gentlemen, I will very briefly try to tell you what is in this bill. The amount recommended to be appropriated by this bill is \$63,400,957.61.

Mr. GARNER of Texas. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. GARNER of Texas. I have noticed that in recent Congresses the deficiency bills are becoming more enormous, and that the total amounts are becoming very much larger than they were in Congresses heretofore. I have just been wondering what the cause of that was. Could the gentleman spend a minute or two in telling the House just exactly why it is that the deficiency bills of the last two Congresses have been so much greater than they were 10 years ago?

Mr. WOOD. They are greater because of the greater possibilities and this wonderful expansion of the business development of our country, and in consequence they are greater because of the greater demands of our country. Here is another thing—and I have given the subject some study—they are greater in a short session than they are in a long session. You take the estimates which are submitted to the Budget. They, of necessity, must be submitted early in the year. The Budget has its hearings upon the various estimates, and that takes a great deal of its time before the convening of Congress. After the Congress convenes there are many things which transpire by reason of the Congress itself. We are largely responsible for the deficiency estimates that are in this bill by reason of the acts of Congress that have been passed since we have been in session.

Mr. GARNER of Texas. But I do not believe that applies to the larger amounts of money carried in this deficiency bill. We have just agreed to the conference report on the first urgent deficiency bill which carried \$175,000,000. I realize, of course, that the larger part of that was for the refund of taxes, but it seems to me that could have been foreseen just as well at the beginning as it could at this time.

Mr. WOOD. No; it could not have been foreseen.

Mr. GARNER of Texas. I would like to know the reason why the Treasury Department could not give that information.

Mr. WOOD. I will explain to the gentleman. One of the very great reasons was the extraordinary appropriation made for rivers and harbors. That is just simply one item. And, as I say, the deficiencies which occur in the short session are more apt to be out of proportion than they are in a long session by reason of the fact that there is such a short space of time in which to consider these measures that in a long session would have consideration under the general bills.

There are a great many things in this deficiency bill that could not have occurred to the Budget when they were making up their estimates for Congress, for the reason that laws have been enacted and authorizations have been made by Congress since we have been in session. Take, for instance, all these public building bills; take all of the authorizations for the purpose of building post offices, and various other public buildings throughout the United States. These have all transpired and been brought to the attention of the Budget since the convening of this Congress. My attention has just been directed to the point that there is \$37,000,000 in this appropriation bill which could not have been contemplated or considered by the Budget, and I also call attention to the acts increasing the amount of pensions that may be paid to soldiers' widows, if the act recently passed by the House becomes a law. Let me say that a number of recommendations have come to the committee, and hearings had on the same, that will be offered as amendments to this bill while it is under consideration, not very materially, however, increasing the amount.

As I started to say, the amount recommended to be appropriated is \$63,400,957.61, made up largely by these items: From the postal revenues, \$1,042,274; from the reclamation fund, \$900,000; from the revenues of the District of Columbia, \$813,000; from Indian tribal funds, \$358,000; and from the general fund of the Treasury, \$60,000,000. I am speaking in round numbers.

As I have just suggested, the greater portion of the total of the bill is accounted for by two items, namely, \$37,200,000, on account of pensions under the increases provided by the acts approved May 1, May 5, and July 3, 1926, and \$5,500,000 for the acquisition of the Cape Cod Canal property, under the contract authorized by section 2 of the act approved January 21, 1927.



## HOUSE OF REPRESENTATIVES

For the House of Representatives the bill carries a total of \$14,670.25, which includes \$10,000 for payment of the customary gratuity of one year's salary to the widow of a deceased Member, \$2,486.25 for salaries of employees from March 4 to June 30, 1927, under House resolutions, and \$2,184 for additional compensation to employees from March 4 to June 30, 1927, in accordance with certain House resolutions.

A paragraph is included in the bill making available during the remainder of the fiscal year 1927, the unexpended balances of salaries of assistant clerks to the Committee on Appropriations to permit payment during that period of the positions of assistant clerks for the committee at the rates provided in the legislative appropriation act for the fiscal year 1928.

Paragraphs are also included in the bill authorizing the Committees on Ways and Means, Interstate and Foreign Commerce, and Appropriations, through such members of those committees who are Members elect to the Seventieth Congress, to hold meetings during the recess period and consider and investigate specified subjects of legislation falling within their respective jurisdictions. In the cases of the Committees on Ways and Means and Interstate and Foreign Commerce expenditures are authorized from the contingent fund in amounts not exceeding \$5,000 and \$2,500, respectively.

## JOINT COMMITTEE TO INVESTIGATE NORTHERN PACIFIC LAND GRANTS

The unexpended balance of the \$50,000 heretofore appropriated to enable the Joint Committee to Investigate Northern Pacific Land Grants is recommended to be reappropriated and continued during the fiscal year 1928 to enable the committee to complete its investigations and submit its report. Approximately \$30,500 remains unexpended in the fund and authority is granted, as in previous extension of the fund, to permit payment to the secretary and disbursing officer at the rate of not to exceed \$50 per month.

## ARCHITECT OF THE CAPITOL

The committee has eliminated the estimate of \$245,000 submitted for consideration in connection with a study of improved ventilation for the Hall of the House of Representatives. In the opinion of the committee no such study has been made of the problems involved as would justify an appropriation at this time. It is recommended that further consideration be given to the question, definite recommendations prepared after careful analysis of the different systems of ventilation, and plans and estimates prepared for future consideration by Congress.

I would like to further direct the attention of the committee, in passing, to this item.

Mr. ABERNETHY. Will the gentleman yield?

Mr. WOOD. I yield; but make it very brief.

Mr. ABERNETHY. This is a matter that I called the attention of the House to the other day. As I understand it, the architect has recommended that there should be expended \$245,000 to provide proper ventilation here. I also understand that the Senate will put in this bill \$185,000 to properly ventilate the Senate Chamber. I am wondering, if the Senate is to have a ventilating system put in at this time, why the House should not have the same system installed?

Mr. WOOD. I do not think the Senate is any criterion for the action of this House. We have expended, time and time again, thousands of dollars for the proper ventilation of this Chamber, with very unsatisfactory results. It is true the Senate is proposing to appropriate \$185,000 to try out a new experiment in reference to ventilating the Senate Chamber. We may profit by reason of their experimentation. They may be able to furnish us virtue to follow. Let us give them a chance. We do not know about it now. It is purely experimentation upon a theoretical proposition that has been untried except in a very few instances where the conditions that obtain are not at all the same as those that obtain here.

## BOTANIC GARDEN

The sum of \$2,000 is recommended for the improvement of roads at the nurseries in lieu of the \$4,000 requested.

The committee recommends \$600,000 of the \$820,000 recommended for the enlargement and relocation of the Botanic Garden under the provisions of the act approved January 5, 1927. Of the sum recommended, \$20,000 was asked for the removal and reerection of the Bartholdi Fountain, and \$800,000 for the acquisition of the property in the squares proposed to be taken. The committee has eliminated the amount for removal of the fountain at the present time believing that such removal should not take place until all land in the area has been acquired and construction is authorized for the new conservatories that are proposed. The amount for acquisition of the property has been reduced from \$800,000 to \$600,000. The

estimate of \$800,000 was based upon twice the assessed value of the property. Square 576 has an assessed value of \$334,006 and square 578, exclusive of property owned by the District government, has an assessed value of \$53,333, making a total assessed value of the two squares of \$387,429.

I want to say to the gentlemen of this committee that there seems to be an idea prevailing in the District of Columbia that when property is to be taken by the Government for the purpose of making public improvements, that, in addition to the assessed value of such property, there should be added 100 per cent, and then some other per cent. Your committee in charge of this bill has not subscribed to this theory. One of the committees of this House that has to do with appropriations has permitted to be added only 25 per cent in addition to the assessed value. It occurs to me that notice ought to be served now upon the property owners of this city, whose property may be taken either by purchase or by condemnation, that a reasonable price, and a reasonable price only, will be paid to them for this purpose of upbuilding the District of Columbia, and that the citizenry here ought to have some interest themselves in seeing to it that the Government which has to pay for a very large proportion of this improvement, should not be held up in this undertaking.

## LIBRARY OF CONGRESS

The sum of \$40,000 is recommended for the period until June 30, 1928, for carrying into effect the provisions of act of February 10, 1927, requiring the Librarian of Congress to have prepared a biennial index to the legislation of the States.

## EXECUTIVE OFFICE

A reappropriation is recommended of the unexpended balances of appropriations heretofore made for carrying into effect the act directing the President to institute and prosecute suits to cancel certain leases of oil lands and incidental contracts in connection with naval oil reserves. Approximately \$72,000 remains unexpended and will be needed for payment of obligations heretofore incurred and for expenses to be incurred in connection with a continuation of the suits including the Fall-Sinclair conspiracy case, the argument of the demurrers on the bribery indictments of Messrs. Fall and Sinclair, the Sinclair contempt case, and the argument of the Mammoth Oil case before the Supreme Court of the United States.

## TARIFF COMMISSION

The sum of \$49,000 is recommended to enable the commission to continue work already begun on certain investigations under section 315 of the tariff act of 1922 which were ordered by the President or requested by resolution of the Senate after the appropriations for the current year had been approved. These investigations will have to be discontinued unless the additional amount recommended is granted.

We felt this was essential by reason of the fact the evidence discloses these investigations are going on very largely with reference to certain articles that are peculiarly of interest to the agricultural sections of this country. We are all trying to help agriculture, and we feel this work should not be retarded on account of any action by the Congress in not providing sufficient appropriation to carry on the work.

## VETERANS' BUREAU

A reappropriation of unexpended balances amounting approximately to \$36,667,172.43 is recommended to cover payments during the remainder of the fiscal year 1927 on account of military and naval compensation. The insufficiency of the appropriation for this purpose for this fiscal year is due in part to the act of July 2, 1926, which authorizes the payment of compensation at the rate of \$50 per month in cases where a tubercular condition has reached the stage of arrest, and extends the date for filing claims to 10 years, for good cause shown, from the date of discharge or death. The remainder of the amount is brought about by those sections of the act of June 7, 1924, making mandatory the payment of compensation in cases where an ex-service man is shown to be suffering from a neuropsychiatric disease, active tuberculosis, and so forth, by presuming the disability to be service connected and requiring the formulation of a new rating schedule based on the earning capacity in the similar civil occupation to that in which the beneficiary was engaged at the time of enlistment.

The Veterans' Bureau has furnished the following estimate of the cost and effect on the current appropriation of the provisions of the acts quoted:

Presumptive disability	\$5,975,000
Disability rating schedule	16,800,000
Arrested tuberculosis	10,050,000
Extension of time for filing claims	2,175,000
Total	35,000,000

## DISTRICT OF COLUMBIA

The amount recommended for the District of Columbia is \$813,273.41, which is \$400,000 less than the amount included in the Budget estimates.

The largest sum included in this total is \$250,000 for care of the insane of the District of Columbia at the St. Elizabeths Hospital. This item is occasioned in part by an increase in the per capita cost from \$1.50 to \$1.65 in the daily rates established by the Secretary of the Interior, and also to an underestimate of the original appropriation that would be required for the fiscal year 1927.

The sum of \$135,000 is recommended for appropriation out of the police and fire relief fund for the payment of pensions and relief authorized by law. This item and the one preceding for St. Elizabeths Hospital are the result of an indefensible practice of underestimating known needs and have been corrected in the Budget for the next fiscal year.

The sums of \$50,000 and \$175,000, respectively, are recommended for a new site and the erection of an 8-room school building to replace the old Bell School at First and B Streets. The removal of this school becomes necessary on account of the recent act authorizing the extension and relocation of the Botanic Garden, the present school being located in the area now required by law for the Botanic Garden.

The sum of \$25,000 is recommended for the payment of annuities of school-teachers as authorized by law.

Numerous small items are provided in varying amounts for the purchase or manufacture of additional motor-vehicle tags, advertising required by law, payment of employees' disability compensation and expenses under the law, refund of erroneous collections, increases under the various courts on account of witnesses and jurors' fees and expenses, and to cover audited claims and judgments.

The appropriation for extension of streets and avenues is made available to pay the expenses and awards under the act of January 13, 1927, providing for the opening of a street from Georgia Avenue to Ninth Street NW., and the act of February 14, 1927, providing for the widening of Nichols Avenue between Good Hope Road and S Street SE.

The appropriation for the payment of expenses and awards in connection with the widening of First Street NE., between G and Myrtle Streets, is continued available during the fiscal year 1928 for that purpose, and the time for filing the petition in condemnation therefor is extended for a period of six months from the date of approval of the act in which this extension of appropriation is carried.

The appropriations for repair of bridges for the fiscal years 1927 and 1928 are made available to enable the commissioners to have repairs made to the Highway Bridge and Klinge Road Bridge by day labor instead of by contract, if it should prove more advantageous to the District to do so.

A sum not in excess of \$50,000 remaining in the balance of appropriations heretofore made for the construction of school buildings, is made available to provide for seeding, sodding, and otherwise improving the grounds surrounding 18 completed and occupied schools.

The committee has eliminated the estimate of \$400,000 and the contract authority of \$500,000 additional for the erection of a new building for the police court in Judiciary Square. In view of the buildings now on the square, the District Supreme Court Building and the Court of Appeals Building, the space to be given to another building is limited, due to the need for providing there only such a building as will, in size and architecture, fit into the symmetry of the location. Such a building as is now projected would at a maximum make available five court rooms, and the present police court now has four judges and more have been suggested in order to relieve the congestion of cases. The future growth of that court, rapid as it must be, coupled with the suggestion recently made for legislation to consolidate the police court and the municipal court, render it inadvisable, in the opinion of the committee, to commence work on this project now at this site.

I wish to say, in passing, this is but another demonstration of the shortsightedness of this Government in making provision to take care of the public needs so far as public buildings are concerned. I expect it has been the observation of every Member of this Congress that in his own locality he has seen the erection of a public building even for post-office purposes when the primary purpose has been simply to meet the needs then required without any regard to the future needs. In the town in which I live a post office was erected in 1882 or 1884. The building met the then requirements. Within six years after its completion an addition was built, and then 10 years thereafter a second addition was built that covered all the ground available for a building. The building is now utterly inadequate to

meet the requirements at this place. What is true there has been true, in large part, I dare say, throughout the United States; and this is a matter, I think, which is within the experience of most of the Representatives here. It is a shortsighted policy. Impressed with this idea, and with the knowledge of the facts which we had before us with reference to the requirements now and the future requirements with reference to a police court, we felt it would be a shortsighted policy upon the part of this Congress to make this appropriation until a location has been had that will meet not only the present requirements but will make some adequate provision for the necessities of the future.

Another thing I want to call to your attention is the fact that this proposition was to locate the police court upon a little bit of space that is now back of the Federal courthouse building and to make it correspond with the architectural beauty and idealism of that section of our public buildings. One of the things that the Fine Arts Commission ought to be made to realize is that it is not only their province to beautify the city of Washington, but they should have some idea with respect to the practicability and the utilization of public buildings when they are located. [Applause.] It occurs to me notice should be served upon the members of this commission that they are presumed to have a little bit of utilitarianism and practicability in their make-ups, as well as idealism in the construction of buildings in the future.

The sum of \$3,300 is recommended to enable the Architect of the Capitol to effect changes in the courthouse of the District of Columbia by conversion of the public-restaurant space into office rooms, the conversion of a storage room into a room for housing jurors, and the making of provision for storage in space not otherwise occupied.

Appropriations are provided to supplement existing appropriations to enable the Board of Public Welfare to supply board and care for children committed by the courts of the District.

The sum of \$13,000 is recommended for supplying furnishings for the new wing to the District Jail now under construction and \$8,690 is provided for the compensation of additional guards from August 1, 1927, to June 30, 1928.

The sum of \$14,000 is recommended for renewing the elevators in the Columbia Hospital.

The use of \$5,000 of appropriations heretofore made for the Office of Public Buildings and Parks is recommended for expenditure for the erection of a public comfort station on public land at Seventeenth Street and Pennsylvania Avenue SE., subject to the contribution of the sum of \$2,500 toward the project by a local street-railway company to provide for inclusion in the project of a waiting room for patrons of street-car and bus lines.

## DEPARTMENT OF AGRICULTURE

Authority is recommended for the payment of accounts amounting to \$1,000 for expenses for architect's fees and inspection services in connection with the erection of a building for the Weather Bureau at Lansing, Mich.

The sum of \$11,560 is recommended to enable the Weather Bureau to expedite the furnishing of meteorological data to the air services of the War and Navy Departments.

The sum of \$25,000 is recommended to enable the Forest Service to combat infestations of the Black Hills beetle in the Rocky Mountain National Park, on the Oregon & California Railroad lands, and in the Colorado, Crater, Deschutes, and Beaver Head and Bitter Root National Forests.

The sum of \$25,000 is recommended for the fiscal year 1928 to enable the Bureau of Animal Industry to extend the inspection service to stockyards at Ogden, Utah; Evansville, Ind.; Spokane, Wash.; Meridian, Miss.; Grand Island, Norfolk, and Fremont, Nebr.; Lexington, Ky.; Union City, Tenn.; and Moultrie, Ga.

The sum of \$2,400 is recommended to enable the Bureau of Plant Industry to continue investigations in North Carolina in connection with adaption of the wild blueberry.

The sum of \$35,000 is carried to enable the Bureaus of Chemistry and Plant Industry to continue investigations and conduct experiments in connection with the application, manufacture, and effect of insecticides and fungicides.

For the enforcement of the act approved February 15, 1927, regulating the importation of milk and cream into the United States, the sum of \$50,000 is recommended.

The sum of \$35,000 is recommended to enable the Secretary of Agriculture to meet the emergency caused by the appearance of a new infestation of the pink boll worm of cotton in the State of Arizona.

## DEPARTMENT OF COMMERCE

The sum of \$36,000 is recommended for retired pay in the Lighthouse Service, mainly due to the recent extensions by law of retirement for disability to employees of the service.



The sum of \$350,000 is recommended for a new surveying vessel for the Coast and Geodetic Survey to replace the *Bache*, a vessel 55 years old, recently inspected by the Steamboat Inspection Service and termed unfit in its present condition and deemed unworthy of the expensive repairs necessary to render her serviceable. The acquisition of a new vessel will permit the retirement also of the *Hydrographer*, a smaller vessel, expensive of operation and repair, and will permit a considerable saving in repair and operation, as well as provide for more effective work on the part of the Coast and Geodetic Survey in surveys on the Atlantic and Gulf coasts.

For the Bureau of Fisheries, the sum of \$30,000 is granted to enable the bureau to continue studies for the utilization of unmarketable fish, the use of fish waste, and to conduct experiments in handling, merchandising, and distributing fishery products; the sum of \$40,000 is granted for vessels of the Bureau of Fisheries, of which \$20,000 is to make necessary alterations to a mine planter transferred from the War Department to replace the vessel *Phalarope* at the Woods Hole (Mass.) station, and \$20,000 to purchase a power boat to replace the vessel *Gannet* at the Boothbay Harbor (Me.) station; the sum of \$15,000 is recommended for repairs and improvements to the grounds, ponds, water supply, and buildings of the Neosho, (Mo.) hatchery.

To my mind this is an important proposition. We are wasting millions of dollars each year because of our utter want of capacity to take care of the fish waste of the country. There are millions of fish caught each year that are absolutely unmarketable as far as being used that might be utilized for fertilization of the lands of this country. It strikes me that out of that we might realize enough to replenish the rapidly diminishing fish not only in the streams throughout the country but fish of the ocean. The fish product of the ocean has been so great that we have not realized its wonderful importance. Now it is diminishing rapidly so far as fishing along the coast is concerned. It has been demonstrated that it is diminishing largely by reason of the waste that goes into the ocean, which could be commercialized and rendered of advantage to upbuild the entire country.

Mr. MONTAGUE. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. MONTAGUE. The gentleman says unmarketable fish. Does he mean fish that is not edible?

Mr. WOOD. Yes.

Mr. MONTAGUE. And has the gentleman considered these young small fish that are destroyed, millions of them?

Mr. WOOD. Yes; millions of them. There is some sort of fish that skims along the surface of the sea that can be caught in large quantities, that is a nuisance as far as the fish industry is concerned, but which could be utilized as fertilizer and in the production of oil.

Here is another proposition: In Alaska and all through the northwestern country where the salmon industry prevails and is a great source of commercial activity, about one-half of the fish goes to waste because there has been no provision made for its utilization. It not only goes to waste so far as its practical utilization is concerned, but becomes a nuisance and is a destructive element in the fish industry itself, for it is thrown back into the sea in a decayed condition, that results in the contamination of the water and the destruction of fish in large quantities.

For the Bureau of Mines the sum of \$25,000 is provided for more extensive experiments in connection with the production of manganese at the mining experiment station in Minneapolis, and \$70,000 is granted for continuing operation of the experimental oil-shale plant in Colorado.

For the Patent Office there is recommended \$25,000 for the employment of additional temporary personnel to expedite the rearrange of work in handling patent applications.

#### DEPARTMENT OF THE INTERIOR

For the Bureau of Indian Affairs there is recommended the sum of \$586,515.86, an increase of \$2,300 over the Budget estimates. The amount recommended includes \$96,303.11 for expenses of transportation of goods and supplies for the Indian Service; \$90,000 for expenses incidental to the cutting and sale of timber on Indian reservations; \$28,000, payable from tribal funds, for the construction of a well for Northern Navajo School and Agency at Shiprock, N. Mex.; \$80,000 for a new boys' dormitory at the Santa Fe, N. Mex., school; \$75,000 for improvements at the Wahpeton, N. Dak., school; \$8,000 for the school building at Burns, Oreg.; \$55,000 for the construction and equipment of a tuberculosis sanatorium at Fort Defiance, on the Navajo Reservation in Arizona; \$10,000 for the reconstruction of the employees' quarters at the Shawnee Sanitarium, Okla.; \$25,000, from tribal funds of the Fort Belknap

Indians, Montana, for use in the purchase of seed, animals, machinery, tools, etc.; \$2,300 for the purchase of land and the erection of a monument and tablet on the site of the battle with the Sioux Indians in Montana; \$1,500 for a monument to Quannah Parker, late chief of the Comanche Indians; \$1,801.20 for compensation to the Indians of the Jemez and Tesuque pueblos in New Mexico for loss of lands and water rights in accordance with the findings of the Pueblo Lands Board; \$85,000 from the tribal funds of the Kiowa, Apache, and Comanche Indians for payment of attorney fees under the tribal contract approved October 12, 1923, and \$200,000 from the funds of such Indians to be distributed by the Secretary of the Interior, share and share alike, to all recognized members of such tribes; and \$125,000 for the construction of a road on the Papago Indian Reservation, Ariz., being part of the highway from Tucson to Ajo.

The sum of \$37,200,000 is recommended for the remainder of the fiscal year 1927 for the payment of pensions in accordance with existing law. The increase is due almost entirely to the new legislation affecting pensions passed at the last session of Congress. It is estimated that the act of May 1, 1926, granting additional pensions in Spanish War cases increased the 1927 expenditures by \$20,160,000; the act of May 5, 1926, granting increased pensions to maimed soldiers, by \$100,000; the act of July 3, 1926, granting additional pensions in Civil War cases, \$12,040,000; it is also estimated that special acts during the session will cause additional expenditures during the year of approximately \$900,000. The normal deficiency in the original appropriation, if no new legislation had been enacted, might have been as high as \$4,000,000.

Under the Bureau of Reclamation the sum of \$300,000 is recommended for the Okanogan project, Washington. Of this amount \$280,000 is for the purpose of providing a pumping plant for furnishing additional water to approximately 4,200 acres now under irrigation and \$20,000 is for the purpose of lining existing canals. Several severe water shortages render it advisable to install the pumping plant and the cost thereof will be covered by a contract with the water users providing for repayment of the cost of construction in 30 equal annual installments without interest.

The sum of \$500,000 is recommended for the Riverton irrigation project, Wyoming, for the construction of the first 18 miles of the Pilot Canal, which will bring under water approximately 14,000 acres of land.

For the Newlands project, Nevada, the sum of \$100,000 is made available from existing appropriations for the reconstruction of the Truckee Canal. Operation and maintenance of the project has recently been taken over by the water users and the cost of reconstruction of the canal, \$150,000 in all, is under contract for repayment by the Truckee-Carson irrigation district in 60 equal semiannual repayments without interest.

The unexpended balance, approximately \$100,000, now available for the development of water-storage facilities on the Black Canyon unit of the Boise, Idaho, project, is continued available until June 30, 1928.

For the investigation of arid, semiarid, and cut-over timberlands by the Bureau of Reclamation, the sum of \$50,000 is recommended, which is \$15,000 in excess of the Budget estimate. This sum, together with the \$15,000 already available for the fiscal year 1928, will provide a total of \$65,000 for investigations to be conducted in the States of North Carolina, South Carolina, Georgia, Alabama, Mississippi, Tennessee, and Florida by a special committee appointed by the Secretary of the Interior. The investigation deals primarily with cut-over and swamp lands and involves a survey of such areas in the various States that are interested in the problems of drainage and reclamation of waste lands and their possibilities of restoration to use and subsequent settlement and colonization. The sum of \$100,000 was authorized for such investigations by section 4 of the act approved December 5, 1924, and the amount recommended in the bill will bring the total of appropriations under that section up to \$80,000.

I desire to say that the increased estimate of \$15,000 is carrying out the authorization of Congress passed some time ago for the purpose of making a survey and recommendation with reference to the possibilities of the cut-over lands and the swamp lands in five or six of the Southern States. We were told that by an additional appropriation of \$15,000 in addition to the \$35,000 recommended in the Budget that this work might be completed. We felt that it was a part of economy to grant the proposition.

Mr. McDUFFIE. I was about to ask the gentleman if \$15,000 was all they asked for.

Mr. WOOD. That is all.

The sum of \$100,000 is recommended for refund of construction charges heretofore paid on reclamation projects and

subject to refund under section 42 of the act approved May 25, 1926. Such act eliminated from the various reclamation projects certain lands which have been classified as permanently unproductive and provided for refund to the settlers of such amounts as had been paid by them as construction charges on such lands after making certain credits and deductions provided for by the act. Claims for such refunds have been received from settlers on a number of the projects, and the fund provided will enable the Bureau of Reclamation to make refunds as they are approved.

Two previous appropriations of \$35,000 each made available for the share of the United States in the cost of operation and maintenance of the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California are reappropriated and made available for such purpose entirely at cost to the Federal Government in accordance with the provisions of section 4 of the river and harbor act approved January 21, 1927.

The sum of \$52,000 is granted for the enlargement of the power plant at the Freedmen's Hospital to provide for heat, light, and power for the new medical building and girls' dormitory, which have recently been provided for Howard University.

#### DEPARTMENT OF JUSTICE

For the Department of Justice and the judiciary there is recommended a total of \$2,213,698.25, the amount of the Budget estimates. Included in this total are the following amounts for the fiscal year 1927, for expenses of United States courts: \$280,000 for additional compensation to Federal judges on account of the increases provided under the act of December 13, 1926, to cover the period from January 1 to June 30, 1927; \$200,000 for expenses of offices of United States marshals on account of the storage and guarding of seized liquor; \$65,000 for salaries and expenses for offices of clerks of courts to cover a limited number of increases in salary for deputy clerks and to provide for additional judicial districts recently established; \$75,000 for fees of United States commissioners; \$300,000 for fees of witnesses, on account of the recent change in law increasing the per diem for attendance and for subsistence; \$210,000 for fees of jurors, on account of the change in law increasing the per diem fee; \$75,000 for pay of bailiffs, to cover an underestimate of the year's expense; \$25,000 for miscellaneous expenses of United States courts, caused by the publication of notices of actions to cancel naturalization certificates; and \$25,000 for printing and binding of briefs and other printing supplies for use of the courts. A number of items for 1926 and prior years are allowed to cover bills audited and settled by the Comptroller General, and for which no funds are now available.

The sum of \$12,000 is included for payment of the share of the United States in locating and marking the boundary line between the States of Oklahoma and Texas in accordance with the decree of the Supreme Court of the United States, dated January 3, 1927, and conditioned upon the contribution of a like amount by each of such States.

The sums of \$50,000, \$10,000, and \$2,500, respectively, are recommended for maintenance at the penitentiaries at Leavenworth, Atlanta, and McNeil Island, to cover increased population and to meet for a part of the current fiscal year the increased discharge gratuities provided for prisoners by recent legislation.

For the Leavenworth Penitentiary an unexpended balance now available for the shoe and brush and broom factory is continued available during the next fiscal year in order to provide for completion of the equipment of the plant for manufacture of brushes and brooms.

For the penitentiary at Atlanta, Ga., the sum of \$272,300 is recommended and an unexpended balance of \$200,000 heretofore granted for boilers is made available, providing a fund of \$472,300 for renewal and extension of the power plant and the installation of a water system. A recent survey of the power plant by a competent engineer indicates that it is badly in need of immediate rehabilitation. The report of the engineer states that present boilers are considered unsafe for the pressure required to operate the old engines and pumps. Water purchased for the institution during this year will cost something over \$55,000. Approximately one-half of the current for the institution last year was purchased. It is estimated that the saving resulting from the generation with new machinery of all current required for the penitentiary will be approximately \$28,000 per annum based on last year's consumption. Aside from the factor of safety, which is the most important consideration in connection with the plant, the amount of outlay represents a businesslike proposal in the management of the institution. The appropriation includes authority for the At-

torney General to secure the services of an engineer to prepare plans and specifications and supervise construction and installation.

The sum of \$20,000 is made available for the construction of an addition to the textile mill at Atlanta to permit the installation of existing machinery for the weaving of wider canvas for use of the various departments of the Government.

A previous appropriation of \$20,000 heretofore made available for drainage in connection with the farm at the Atlanta Penitentiary is made available for the purchase or hire of the necessary dredging machinery.

At the McNeil Island Penitentiary the sum of \$4,000 is made available for the repair to the docks and dolphins damaged by storm and \$60,000 is granted for machinery and equipment for distribution and storage systems for the water supply.

For the United States Reformatory at Chillicothe, Ohio, the sum of \$100,000 is made available from the unexpended balance of the current appropriation for maintenance to provide for the erection of a brick plant to give employment to inmates and to provide material for the erection of necessary buildings. The institution is on the site of Camp Sherman, an Army cantonment during the war of approximately of 1,900 acres. Prisoners are now living in the temporary war buildings without any inclosure. Tests of the shale made by the Bureau of Standards indicate that a good grade of common brick can be made at the reformatory. The commercial price of common brick comparable to those that can be manufactured at the reformatory is \$15 a thousand, and with prison labor available it is estimated that the reformatory plant can produce them at \$5 per thousand. The plans for development at Chillicothe contemplate housing 1,000 prisoners, which would call for structures involving the use of approximately 18,000,000 brick, and the production of this number would more than twice amortize the investment in the brick plant. After the completion of construction work at the reformatory, brick could then be sold to other branches of the Government.

The sum of \$12,000 is provided for maintenance at the National Training School for Boys in the District of Columbia on increased population and \$500,000 additional is provided for maintenance of United States prisoners in State penitentiaries and city and county jails.

Legislation is recommended authorizing the Attorney General to enter into contracts for a period not exceeding three years for the subsistence and care of Federal prisoners in lieu of the present authority for not to exceed one year. The superintendent of prisons believes that economy in operation will result from a longer period of contracting, particularly by having contracts staggered instead of all expiring at one time in the fiscal year.

#### DEPARTMENT OF LABOR

The sum of \$200,000 is recommended for expenses of regulating immigration, to prevent cessation in deportation work, and diminution in the strength of the border patrol, and to enable the present organization to fit into the increased organization which has been provided for the next fiscal year.

The sum of \$237,000 is recommended for general renovation of the immigration station at Ellis Island, N. Y., including painting, electric wiring, pipe covering, screens, plumbing renewals, and the installation of a new 10-inch water main from the island to the New Jersey shore.

#### NAVY DEPARTMENT

The sum of \$1,080,000, comprising \$540,000 under the Bureau of Engineering and \$540,000 under the Bureau of Construction and Repair, is granted for repairs and alterations in the submarine S-48.

For public works of the Navy the following are recommended: For rebuilding a portion of the industrial railroad at the Puget Sound (Wash.) Navy Yard, \$75,000; for replacement of one-half of the piers at the submarine base, New London, Conn., \$150,000; for replacing public-work facilities destroyed by fire at the New York Navy Yard, \$50,000; for replacing the fuel-oil dock at Guantanamo, Cuba, naval station, \$75,000; for the construction of a steel bridge over Archers Creek at the marine barracks, Parris Island, S. C., \$30,000; and toward the construction of public works at the marine barracks, Quantico, Va., in accordance with the act approved February 15, 1927, \$1,650,000, together with contract authority for the full authorization under such act of \$2,205,900.

The sum of \$842,500 is recommended to reimburse appropriations of the Marine Corps for unusual and extraordinary expenses incurred by the detail of marines for guarding the mails from October 20, 1926, to February 19, 1927.

The sum of \$500,000 is recommended under increase of the Navy to cover an increase of \$200,000 in the cost of the *Holland*



and \$300,000 to cover the increases in the cost of the submarines V-1 to V-3, inclusive.

#### POST OFFICE DEPARTMENT

The sum of \$30,000 is recommended to cover rewards earned during the fiscal year 1926 for the detection, arrest, and conviction of post-office and mail robbers, and authority is granted to expend during the fiscal year 1927 an additional sum of not to exceed \$5,000 for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals.

The sum of \$23,000 is recommended for an addition to the fund for traveling expenses of post-office inspectors to cover increased travel in connection with measuring rural routes and investigations in connection with consolidation of routes.

For the vehicle service the sum of \$965,000 is recommended, of which \$560,000 is made available for the purchase of 650 armored cabs and the making of alterations to the trucks upon which they will be mounted.

Authority is granted the Postmaster General to purchase and maintain tractors and trailer trucks in connection with the operation of the screen-wagon and City Delivery and collection services.

Legislation is recommended authorizing the Postmaster General to hire vehicles from letter carriers for use in the City Delivery and collection service, either under an allowance or on a contract basis. It has been the practice of the Post Office Department to make such allowances to letter carriers for use of vehicles for many years, but a recent ruling of the Comptroller General has questioned the practice and legislative sanction is sought for its continuance.

#### DEPARTMENT OF STATE

The sum of \$17,000 is recommended under three appropriations to provide for salaries of ministers and clerks and office expenses for the period from March 1 to June 30, 1927, in connection with the establishments of missions in the Dominion of Canada and in the Irish Free State.

The sum of \$30,316 is provided for installation of additional water-gauging stations and the improvement of existing stations in connection with the water boundary between the United States and Mexico, and authority is granted for the transfer of this sum and the 1928 allotment for water-gauging work to the Geological Survey for direct expenditure.

The sum of \$5,000 is allowed for expenses in connection with the International Congress of Soil Science to be held in the United States from June 13 to June 22, 1927, under authority of the public resolution approved April 3, 1926.

Reappropriations are recommended of existing funds for the International Commission on Public and Private International Law and for the International Radiotelegraphic Convention to be held in Washington.

#### TREASURY DEPARTMENT

Appropriations under the Treasury Department are recommended as follows: \$15,000 to cover shipment of coin and paper currency, and \$7,500 to provide for the recoinage of worn and uncurrent minor coins; \$5,000 under the customs service to provide for refund of duties paid on domestic animals returned to the United States under the act approved May 24, 1926; the sums of \$93,000 and \$25,000, respectively, are made available from the appropriation for "Pay and allowances" of the Coast Guard to provide for transportation of enlisted men and for the rental and incidental equipment of docks in New York for use by vessels of the Coast Guard; the sums of \$13,450 and \$89,451, respectively, are granted to the Public Health Service for pay of commissioned officers and for expenses in connection with examination of immigrants abroad.

The following sums are recommended under public buildings: \$12,000 for repairs to the roof of the courthouse and post office at New York; \$20,000 for restoration of the bulkhead and other river-front work at the Marcus Hook, Pa., quarantine station; \$30,000 for additional water supply at the Carville, La., leprosarium; and \$150,000 for the employment of outside architects in connection with public buildings; \$32,569.28 to pay the claim of the Davis Construction Co. for losses due to war conditions in connection with the construction of the Post Office Department equipment shops in Washington.

The sum of \$25,000 is recommended as a gratuity to the American Printing House for the Blind in accordance with the provisions of the act approved February 8, 1927.

#### WAR DEPARTMENT

##### MILITARY ACTIVITIES

An appropriation of \$1,100,000 is recommended toward covering a deficiency in pay of the Army for the fiscal year 1926, which at present amounts to \$1,438,534, the difference between the actual figure of deficiency and the amount recommended in

the bill being met by funds which are available by law for that purpose. The appropriations for the fiscal year 1926 were based upon an enlisted strength of 118,750 men and the deficiency in the pay fund is due, not to any increase in the number of men, but rather to insufficiency of the Budget estimate, the passage of laws, after the appropriation had been made, which placed added burdens, upon the pay funds, and a number of administrative acts which entered into the pay factor. The average number of enlisted men during 1926 was 117,616, less by 1,134 than Congress thought it had appropriated for when the 1926 appropriations were made.

An appropriation of \$2,426,809, together with the use of an unexpended balance of \$271,050, making altogether \$2,697,859, is recommended for pay of the Army for the fiscal year 1927. When the appropriations for 1927 were made they were believed by Congress to be sufficient for the maintenance of an average enlisted strength throughout the fiscal year of 118,750 men. Last spring when it was apparent that the deficiency for pay of the Army for 1926 was going to cause a similar situation in pay for 1927, the President directed that the Army be maintained for 1927 within the appropriations. In order to do this it was believed that an average enlisted strength of 110,940 enlisted men could be maintained instead of the 118,750 originally intended. Further developments through unforeseen legislation adding burdens to the appropriation and other causes made it apparent later that in order to live within existing appropriations the Army enlisted strength might have to go as low as 102,000 men in order not to exceed the 1927 appropriation. The Budget for 1928 was based upon an average enlisted strength of 115,000 men and Congress by enactment of the War Department appropriation bill has raised that number to 118,750 men and inserted funds which it is now believed will be sufficient to enable that number to be maintained. The amount recommended in the bill is calculated to cover the deficiency which would exist on the basis of 110,000 men and to provide additional sums to bring the enlisted strength up to 115,000 men by July 1 in order to fit into the program of 118,750 men for the fiscal year 1928 which Congress has provided.

The committee has eliminated from the bill a paragraph of reappropriation of \$2,226,583.42, which is part of an unexpended balance of a previous appropriation that has been kept alive for a number of years to make settlements of claims arising from transactions for the procurement of supplies and services in Europe under informal contract agreements and purchase orders and for personal services growing out of the hire of French civilian employees. Claims on hand affecting the hire of French civilians amount approximately to \$15,000 and claims for the procurement of supplies, etc., have a face value of \$981,547.05, most of which, in the opinion of the representatives of the War Department, will be disallowed. Inasmuch as this appropriation is alive until June 30 next, the committee is of the opinion that all claims that are worthy can be adjudicated by that time and the authority to extend the life of the appropriation for another year is not granted.

The sum of \$1,097,510 is recommended for subsistence of the Army. The deficiency in subsistence is made up of three items: The sum of \$458,864 to cover a reduction in the working stock of subsistence supplies on account of the advance of the prices of foodstuffs entering into the ration components, \$494,916 to cover the difference in the cost of the ration at the time the regular appropriation was made (33 cents) and the actual cost of the ration at the present time (36.12 cents), and \$143,730 to cover the additional men which will be provided for under the pay proposals contained in the bill to bring the enlisted strength up to 115,000 men by June 30 next.

The sum of \$950,000 is recommended to cover a contract authorization previously established by law in connection with the program of permanent building construction at the Walter Reed General Hospital and completes appropriations under that project of \$2,000,000.

The sum of \$85,000 is recommended for restoring a portion of the post hospital at Jefferson Barracks, Mo., recently destroyed by fire.

The committee has eliminated the Budget estimate of \$370,000 for the construction of necessary works to provide for an increase in the water supply at Fort Douglas, Utah. The evidence developed in connection with the item does not indicate that there is any pressing need for the improvement at this time, and it is accordingly eliminated from consideration in connection with this bill.

For repairs and improvements to the power plant at Fort Mills, Corregidor Island, P. I., the sum of \$309,000 is recommended. The population of the island is about 7,000 and is dependent for water, light, refrigeration, and transportation facilities upon the operation of this plant. The present plant has been

in operation since 1913 and its rehabilitation at this time is represented as a matter of pressing importance.

For the Air Service, the sum of \$141,855 is allowed for flying training for approximately 1,000 reserve officers between now and July 1. Funds available for such purposes during the current year amount approximately to \$400,000, and in some corps areas such training had to be discontinued in October and November. The amount recommended in the bill will allow about six hours of flying for each of the 1,000 officers during the remainder of the current fiscal year, and will serve to keep the reserve pilots interested in continuing their training.

Two items of considerable magnitude under the Ordnance Department have been omitted from the bill. Sums aggregating \$814,448, comprised of \$591,262 under transportation of the Army, \$123,186 under ordnance service, and \$100,000 under repairs of arsenals, were requested for the removal of high-explosive ammunition from the Curtis Bay ordnance reserve depot, Maryland, and items aggregating \$2,338,233, comprised of \$1,638,768 for Army transportation, \$221,965 under ordnance service, and \$447,500 under repairs and improvements of arsenals were requested for the removal of explosives from the Raritan ordnance reserve depot, New Jersey. These amounts, aggregating \$3,152,681, contemplated the removal of approximately 16,800 tons of explosives from the Curtis Bay depot and 32,200 tons from the Raritan depot, and the transfer of this material to ordnance depots at Ogden, Utah; Savanna, Ill.; Pig Point, Va.; and Charleston, S. C. The committee was not impressed with the urgent necessity for the removal of this explosive material at this time, nor is it certain that it will be any more acceptable to the people residing in some of the communities at which it is proposed to be stored than it is now to the people residing in the communities where it is now stored.

The sum of \$50,000 is carried for alterations to the span of the Government bridge at Rock Island, Ill., to provide for the passage of vessels plying the Mississippi River, and is recommended by the Chief of Engineers as in the interest of navigation and an improvement that would be required of private interests if the bridge were so owned.

#### NONMILITARY ACTIVITIES

Two items are recommended in connection with the improvement and marking of graves in American cemeteries in France. The sum of \$94,953 is allowed for the removal and reinterment of 695 remains in the Somme Cemetery and 1,866 remains in the Oise-Aisne Cemetery and will complete the work of rearrangement of graves in the American cemeteries in France. The sum of \$186,000 is allowed for the purchase of headstones for the marking of graves of American soldiers abroad. The sum of \$548,550 has heretofore been made available for this purpose and the additional amount allowed will complete the sum that is necessary for the purchase and installation of 31,000 marble crosses in lieu of the slabs which were planned at the time the original appropriation was made.

In accordance with the act of July 3, 1926, an appropriation of \$50,000 is granted for completing the tomb of the unknown soldier in Arlington Cemetery, and legislation is included to enable the Secretary of War to take whatever steps may be necessary to secure designs and services in connection with the work.

Appropriations are also recommended for other projects as follows: \$10,000 for surveys and repairs in connection with the restoration of the Lee Mansion under the authority of the resolution of March 4, 1925; \$7,100 for the purchase of privately owned land situated within the boundaries of the Shiloh National Military Park; \$50,000 toward the establishment of a national military park to be known as the Fredericksburg and Spotsylvania Battle Fields Memorial created by the act of February 14, 1927; and \$11,135 for the purchase of artificial limbs, or payment of commutation therefor, for Civil and Spanish War veterans and soldiers of the regular Military Establishment in accordance with the increased allowances granted by the act of February 11, 1927.

The sum of \$5,000 is recommended for the improvement of the road and incidental repairs and improvements at the Lincoln Birthplace Memorial in Kentucky on representation made to the committee that proper access is not provided for those desiring to visit the memorial.

In accordance with the authority of section 2 of the river and harbor act approved January 21, 1927, and under the contract authorized thereby the sum of \$5,500,000 is recommended for the purchase of the Cape Cod Canal and other property pertaining thereto.

Of the estimate of \$150,000 requested for examinations, surveys, and contingencies to cover surveys authorized by the river and harbor act of January 21, 1927, the committee

recommends the sum of \$50,000 which it is believed will cover the surveys of most pressing importance between now and the time another appropriation will become available.

The sum of \$15,000 is recommended toward the construction of a public wharf and walk at Jamestown, Va., to provide access to the United States monument which commemorates the three hundredth anniversary of the settlement of Jamestown. The appropriation is conditioned upon the contribution of a like or larger amount through the assistance of the Commonwealth of Virginia and the Association for the Preservation of Virginia Antiquities. The paragraph provides that all sums for such wharf and walk shall be expended by the Chief of Engineers of the Army.

For the several branches of the National Home for Disabled Volunteer Soldiers, a total of \$154,300 is recommended to cover increased costs of operation and the opening of a new barracks at the Battle Mountain Sanitarium, at Hot Springs, S. Dak.

#### JUDGMENTS AND AUDITED CLAIMS

The bill carries \$202,138.82 for payment of judgments rendered against the United States by district courts and \$1,020,317.08 for the payment of judgments rendered by the Court of Claims. For the payment of claims allowed by the General Accounting Office under balances of appropriations which have lapsed and have been covered into the Treasury, a total of \$123,827.03 is carried.

#### TRANSFER OF EMPLOYEES UPON CHANGE OF STATION

Section 3 of the bill provides that during the fiscal years 1927 and 1928 appropriations available for payment of traveling expenses shall be available for the payment of traveling expenses of officers and employees upon transfer from one official station to another. Such has been the practice for many years in practically all departments of the Government; but a recent ruling of the Comptroller General casts some doubt upon the availability of certain of the appropriations for that purpose, and in order to make it clear that such expenses are covered this paragraph is carried in the bill. In the absence of it, considerable embarrassment would result to many of the branches of the service and an unwarranted hardship and expense be placed upon the employees who are required by departmental authority to proceed from one station to another for official duty. The paragraph provides that such expenses shall not be allowed when a change of official station is made at the request of the employee.

Other important details of this bill will be considered under the five-minute rule.

The CHAIRMAN. The time of the gentleman from Indiana has expired. All time has expired; and the Clerk will read.

The Clerk read as follows:

*Be it enacted, etc.,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1927, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1927, and June 30, 1928, and for other purposes, namely:

Mr. BYRNS. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNS. Mr. Chairman, I did not consume any time in general debate to-day, because there were many gentlemen who wished to have an opportunity in general debate, many of whom were cut out by the fact that this morning the time was limited. In the very brief time at my disposal I can not enter into a detailed discussion of the bill. I may say that there is nothing controversial in it so far as the committee is concerned. It carries a great many items and appropriates a very large sum of money. I understand amendments will be offered during the consideration of the bill, seeking to increase certain items and add new items. I want the House to understand that the committee gave very careful consideration to all of the estimates and proposals made. We have been conducting hearings for over three weeks, and we went very carefully and fully into all of the propositions submitted. The bill contains the judgment of the committee as to what should be carried in the bill.

Mr. GARNER of Texas. Mr. Chairman, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. GARNER of Texas. I understood that there are no controversial matters in the bill. Will there be any controversial matters offered as amendments, so that the House may understand whether it is necessary to stay here while the bill is considered in Committee of the Whole?



Mr. BYRNS. I just stated that I understand there will be a number of amendments offered during its consideration.

Mr. GARNER of Texas. And will those be controversial amendments so far as the committee is concerned?

Mr. BYRNS. Yes. Mr. Chairman, as the gentleman from Indiana [Mr. Wood] has stated, this bill carries a total of \$63,400,954.61. Since this bill was reported the gentleman from Indiana, in charge of the bill, has been authorized to offer certain additional amendments which will probably increase the bill to the sum of \$64,000,000. This is the second deficiency appropriation bill. The first deficiency bill passed at this session carried, in round numbers, \$186,000,000. In addition to that the House passed a separate joint resolution carrying \$10,000,000 for the eradication of the corn borer, and next Monday there will be presented to the House a bill providing for the construction of public buildings in this District and over the country carrying a sum amounting to possibly \$20,000,000. So, as a matter of fact, it will be found that at this session of Congress the deficiency appropriations will amount to considerably in excess of \$300,000,000. As the gentleman from Texas said a few moments ago, it appears that in the last few years the deficiencies have been increasing in amounts. The gentleman asked why that was so.

It is due, as the gentleman from Indiana [Mr. Wood] said, in a certain measure to the fact that Congress passes authorization acts requiring additional appropriations. For instance, only a day or two ago this Congress passed a bill providing for loaning money to farmers in a few States in the West and a few in the South to the extent of \$8,600,000 for the purpose of buying seed. That amount, I take it, will be carried in this bill before it comes to final passage in the Senate. In addition to that only a day or two ago a bill was passed by the House increasing pensions, which will amount to \$23,000,000 per annum, according to statistics furnished by the Committee on Invalid Pensions. So I say in a certain measure these big increases in deficiencies are due to the fact that Congress is continually passing bills authorizing and requiring the appropriation of money. There is another reason, and that is that the custom seems to have grown up in the past few years for the President in his budget to cut down estimates for appropriations, when it must be evident to the departments for which these appropriations are asked that it will be necessary before the conclusion of the fiscal year for which the appropriations are made to have additional appropriations. That is evidenced by the fact that in this bill there are a great many items for 1928 by way of supplemental appropriations, although it has only been a week or two since the regular annual appropriation bills for 1928 were passed.

Mr. GARNER of Texas. Does the President send in an estimate in his budget for these additional appropriations for 1928?

Mr. BYRNS. Yes. They are all sent in, and they are sent in frequently before the bills have been actually passed. I call attention to one special instance of this custom of the administration to underestimate the amount required for the purpose of holding down appropriations and taking credit for that fact, and then, later on, after the aggregate of the total annual appropriation has been published over the country, coming to Congress and requesting a deficiency to take care of these necessities of the Government.

The act of the President on February 3 in increasing the ration allowance of the Army is a striking example of the deceptive policy which has grown up under this administration of submitting estimates which are not sufficient to carry on some of the activities of the Government, for the purpose of holding down appropriations, while at the same time it is clearly understood that the necessary amounts will be carried in the deficiency bills to be passed at a later session. The result is that the regular annual appropriations show a smaller amount than is actually required or expected to be appropriated, and the administration takes credit for economies which are wholly fictitious. It is also evidence of the inconsistency of the President. In his Budget message, submitted to Congress on December 3, the President asked for a ration allowance of 36 cents for the Army, and in a letter printed in the Army and Navy Journal on December 9 he said that he was convinced that his estimate would provide adequately for the Army, and an economic administration would assure a well-fed and a well-disciplined Army. The Appropriations Committee, after a careful hearing, increased the President's estimate to 40 cents. The Senate committee concurred with the House committee and reported the Army appropriation bill to the Senate on February 3. On the very same day, without advising Congress so that the increase might be included in the regular appropriation bill then pending, the President issued

his order increasing the ration to 50½ cents. This will result in a deficiency of \$4,250,000 in the 1928 appropriation bill and will have to be carried in a deficiency bill next December. Yet in the face of the fact that the President increased the rations of the Army to the extent that I have named before, the appropriation bill actually passed the House, he signed a bill with the fact before him that a deficiency would necessarily result by reason of his action.

But in the meantime the President gets credit for a saving which does not exist and which is plainly deceptive, and also for raising the ration allowance of the Army to what is more nearly equal than that of the Navy and Marine Corps.

Mr. GARNER of Texas. Will the gentleman yield?

Mr. BYRNS. I will.

Mr. GARNER of Texas. The gentleman used the word "deceptive"—public officials who deceive Congress or the public—is not that akin morally to being dishonest a little? What is the gentleman's definition? I ask that he may have two additional minutes to state it. Whenever the President attempts to deceive Congress and the country, what interpretation does the gentleman from Tennessee place upon the conduct from a moral standpoint?

Mr. BYRNS. I do not know that I can place any other interpretation than the gentleman from Texas himself has placed upon it.

Mr. GARNER of Texas. Is it not a fact that gentlemen who generally deceive, misrepresent, and mislead will go a little further sometimes and cheat?

Mr. BYRNS. Yes; but I did not intend that such an interpretation should be given to my use of the word in this instance, and I know, of course, the gentleman does not. What I wish to say is that the policy followed by the President in his Budget is tending to mislead the country and also sometimes the Congress upon the appropriations required and actually made for the various services of the Government.

Mr. KETCHAM. The gentleman referred a moment ago to the possible deficiency appropriation, which I understand to be approximately over \$300,000,000?

Mr. BYRNS. They will probably amount to about \$316,000,000 or \$320,000,000 before we get through.

Mr. KETCHAM. Is it not a fact the refund of taxes collected constitutes \$175,000,000 of that amount?

Mr. BYRNS. Yes.

Mr. KETCHAM. Whatever the amount may be, ought it not properly and fairly to be deducted, in view of the fact that while it is in a deficiency bill it is not really and truly a deficiency, as it has been collected from taxpayers and now is being turned back?

Mr. BYRNS. But, as I have said before on this floor, these refunds ought to be carried in a regular appropriation bill rather than by way of a deficiency, because it is a charge upon the Treasury and constitutes a part of the regular appropriations made each year.

Mr. KETCHAM. What I was trying to get at was this: Does the gentleman regard it as a deficiency in the same way he would regard the additional sum required by reason of the fact we passed here the other day a bill for increase of pensions?

Mr. BYRNS. I would not regard it in that sense. It is money that is due the taxpayers for amounts paid the Government for overdue taxes.

Mr. KETCHAM. Upon the basis of which I am speaking, the total deficiency would be approximately \$169,000,000 rather than \$316,000,000?

Mr. BYRNS. That is true. But the gentleman himself confirms the criticism I am making. Because this sum is carried in the deficiency bill it is not considered in the aggregate of the total regular appropriations, and I may say that is the reason for it being carried in this manner.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

House of Representatives.

Mr. BUCHANAN. Mr. Chairman, I offer an amendment immediately following the words "House of Representatives."

The CHAIRMAN. The Clerk will report the amendment.

At the top of page 2, line 2, after the words "House of Representatives," insert the following: "To pay to Rhea Thomas, a son, and Barber Nell and Annie Lee Thomas, minor daughters of D. Y. Thomas, late a Representative from the State of Kentucky, \$10,000, to be disbursed by the Sergeant at Arms of the House by paying to Rhea Thomas one-third and to the legal guardians of said Barber Nell and Annie Lee Thomas the other two-thirds of said \$10,000."

Mr. WOOD. I reserve a point of order.

Mr. BUCHANAN. Mr. Chairman and gentlemen of the committee, I take it that when my colleague reserved the point of order that he did so for the purpose of being convinced that the deficiency committee was wrong when it refused to report this gratuity in favor of the children of the late Representative Thomas.

Mr. WOOD. Will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. WOOD. I reserved the point of order not because I have changed my idea of the attitude of the deficiency committee but for the purpose of giving the gentleman from Texas an opportunity to present his side of the case.

Mr. BUCHANAN. I thank the gentleman, and I hope the House will be a little indulgent with me in presenting my side of the case. I had promised to me, being a member of the committee, 25 minutes under general debate. The general debate went on without any limitation as to time until this morning, when it was unexpectedly curtailed, resulting in a curtailment of so much time that I did not get the time allotted to me. Therefore I will ask the indulgence of the House in making this plea for the heirs of Mr. Thomas. I am making it upon the broad ground, that great principle, that the Government in all its operations should treat, so far as possible, all of its citizens on a plane of equality.

I am making it upon the further ground that every department of the Government should treat all its membership upon the same plane of impartiality and equality.

Now, before I get into a discussion of the facts of this case that justify and bring the heirs of Mr. Thomas strictly within the rules and precedents that we have followed, I want to state to the House the committee history of this proposition.

Mr. Thomas died last September, a year ago. The question of making an appropriation and granting his heirs the usual \$10,000 came up in an informal way before the deficiency subcommittee of the Committee on Appropriations. It was just before Congress adjourned, and I was told by the chairman of that committee that under no circumstances would he agree to it unless I could establish the dependency of Mr. Thomas's children.

It being so late in the session to procure evidence from New Mexico and Texas, I asked him to postpone it until this session, stating that I would endeavor to establish the dependency of Mr. Thomas's children. So that when it came up at this session the gentleman from Indiana [Mr. Wood], acting as chairman of the deficiency subcommittee, and I talked about the case, and I told Mr. Wood that I wanted a hearing of the case. He said he would grant it. I carried the testimony to that committee on three or four different days, and on last Saturday morning, after the hearings had gone to the printer, I walked into the committee room at the time fixed for the meeting of the subcommittee, and found four members of that committee sitting around the table discussing the Thomas case. Of course, I intervened. One gentleman said that the mother of these children was amply able to protect, educate, and maintain these minor girls. Another said the fact that Mrs. Thomas, when the divorce proceedings came up, had promised to support and educate the children, prevented them from voting for it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HUDSPETH. Mr. Chairman, I ask unanimous consent that my colleague may proceed for 25 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. WOOD. Reserving the right to object, Mr. Chairman, I do not want to interfere with my colleague's presentation of the case, but it strikes me that perhaps time might be saved by applying it to the point of order.

Mr. HUDSPETH. The gentleman has some authorities there bearing on this question which I think will take 25 minutes to present to this body.

Mr. WOOD. After all, the whole thing may be ruled out of order, and we would be wasting time. I do not think we should take all this time.

Mr. BUCHANAN. When I had 25 minutes promised me under general debate and the general debate was curtailed this morning, I—

Mr. WOOD. I shall not object to 20 minutes.

Mr. HUDSPETH. Mr. Chairman, make it 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. HUDSPETH] that his colleague may proceed for 20 minutes?

There was no objection.

Mr. BUCHANAN. Mr. Chairman, resuming the proposition to allow this gratuity to the dependent children of Mr. Thomas in the deficiency subcommittee, as I stated, I walked in when

they were considering it. One Member spoke of the contract entered into by the mother of the children at the time of the divorce proceedings, and another said the mother of the children was amply able to support the children. I stated that that was not the fact. Another Member said he understood that was the fact. I said I had evidence to show that Mrs. Thomas was bankrupt. One gentleman said he did not believe those statements and that there was no law to punish those who made such affidavits for perjury, when, as a matter of fact, any false affidavit that a man makes as to a material fact constitutes a felony and is punished by confinement in the penitentiary in practically every State. Then I made it my duty to appeal from the decision of that committee, that all-wise, omnipotent, omniscient committee, which in this case had obtained the testimony on which it had based its action and formed its irrevocable decision from some unknown and mysterious source, its wonders to perform.

Mr. JOHNSON of Texas. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. Yes.

Mr. JOHNSON of Texas. What has been the custom with respect to granting these amounts to dependent children in the past?

Mr. BUCHANAN. So long as I have been a Member of this Congress—that is, 13 years—and so far as I can recall, there has never been a single death of a Member of this House where this has not been granted.

Mr. CARTER of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. Yes.

Mr. CARTER of Oklahoma. Has the question of the ability of the widow to take care of the children been considered?

Mr. BUCHANAN. That has never entered into the committee's consideration.

Mr. ROMJUE. May I suggest to the gentleman that the boy in this case is not the child of the former widow, but is the son of Mr. Thomas by a former marriage. I understand he is deaf, dumb, and without property.

Mr. BUCHANAN. Yes.

Mr. UPDIKE. I would like to know what becomes of the widow in this case.

Mr. BUCHANAN. Mr. Thomas's widow married another man by the name of Barber. In 1919 he was killed by the explosion of a gasoline engine. At the time he was killed it was thought that he was well fixed, but the administration developed that he had signed a great many sureties, notes for his relatives and others, and his estate was bankrupt. So that leaves two minor children, neither one of whom being of age, and neither having property to amount to anything, to educate and maintain them.

But I am getting ahead. I want to take it systematically. I want to read you a letter from Mrs. Thomas to the Hon. John M. Moore. It states the following facts:

Because of dissipation and because of domestic trouble, caused by another woman, and fearing he would squander, instead of use with care what we had earned, I had a settlement with Mr. Thomas in 1912.

At time of our marriage Mr. Thomas had \$600. He spent \$100 on the trip he made to meet me in New York, where we were married. We began together with \$500. At time I requested this settlement, 1912, we had accumulated nearly all he had at his death. At time of this settlement he put in my name what we had in Texas and the home in Kentucky was understood to be for the children, and that I since have called my children's, though it had no part in our agreement of their care; indeed, he referred to it later as mine, sold it himself for a low figure, \$4,750, and sent the funds to me himself.

These funds I put into little cheap-rent property. He agreed in this settlement of 1912 to help me care for the children with no time limit.

I continued to live with him a full year thereafter. He supporting both of them and me mostly thereafter. You will note the support came from our community interests.

After I left there he continued to aid in the support of my children. He sent them both money and clothing. I have numbers of letters from him in which he tells them he is sending them money or clothing.

When I got my divorce from him in 1914 Judge Sparks and I discussed the clause about the children's support, and I told him that Mr. Thomas agreed with me that he would help me in my care and education of the children and I was sure he would do so.

He never set aside a penny at time of my divorce for any purpose. He never set aside a penny at any time for the care of the children. He made over to me a little over one-fourth of what we had—and I had helped to make—retaining for himself nearly three-fourths.

I will not read further from that letter, as I have more important letters from which to read. However, there is one other paragraph which I do want to read from this letter:



At the time the divorce was granted between me and my former husband, Mr. Thomas, he required me to agree that I would become responsible for the support and maintenance of our two children; but at the same time promised and assured me then and theretofore that he would, in fact, aid me in caring for, rearing, and educating them.

I was so anxious to have our two little girls awarded to me that I was willing to make any kind of agreement necessary to reach that result, and felt that Mr. Thomas would help them, if necessary.

Evidently she did not think Mr. Thomas was a proper person to have the actual custody of those girls, 6 and 10 years old.

Now, my colleague and friend from Tennessee [Mr. BYRNS] told me he based his vote against this bill upon the proposition that Mrs. Thomas had agreed to maintain the children and that Mr. Thomas did not regard that he was liable for their support and maintenance.

Mr. BYRNS. That was one of the reasons. Another reason was that Mr. Thomas, so the committee was informed, left an estate of about \$36,000 and that each one of these children would get \$10,000 in cash, one of whom is over 40 years of age and another 21 or more. I wish to say to the gentleman that there is no precedent, so far as I know, where Congress has ever, as a pure gratuity, taken money out of the Treasury and paid it to a child over 21 years of age.

Mr. BUCHANAN. I will endeavor to enlighten the gentleman.

Mr. BYRNS. There are precedents where a child has kept house or has been a member of the household, but the gentleman can not cite any precedent for a case of this kind.

Mr. BUCHANAN. In answer to the gentleman's first contention, that Mrs. Thomas had assumed the support of the children and that Thomas had legally transferred his duty to support them to the mother, I want to call his attention to the law of the land, which should control and guide his action as well as the action of every other citizen of the United States. I will read from a decision by the Supreme Court of the State of Ohio:

The duty to support his children, said the Ohio court, "is not to be evaded by the husband so conducting himself as to render it necessary to dissolve the bonds of matrimony, and give to the mother the custody and care of the infant offspring. It is not the policy of the law to deprive children of their rights on account of the dissensions of their parents, to which they are not parties, or to enable the father to convert his own misconduct into a shield against parental liability."

It looks to me as though that ought to settle that part of it. Let me go on with this insolvency business because I have to hurry. I can not read you all of Mrs. Thomas's statement because it is too long, but here is an affidavit which gives a complete inventory of everything she has in the world and every liability she owes, and when you total them it leaves the estate insolvent. I have this inventory and any Member may see it.

Mr. HUDSPETH. Will the gentleman yield?

Mr. BUCHANAN. Yes.

Mr. HUDSPETH. Then it leaves the three children of Bob Thomas, one by a former marriage and two by this marriage, in destitute circumstances? Is not that a correct statement?

Mr. BUCHANAN. Absolutely. Mrs. Barber's, formerly Mrs. Thomas's affidavit is as follows:

STATE OF NEW MEXICO, County of Eddy:

For the information of any concerned, I, Mrs. Annie L. Barber, now of said county and State, do now here state and show as follows:

I was born and reared in Hays County, Tex., and was there married to my first husband, D. C. Ragsdale, and by whom I had one child, a daughter named Fern. My first husband died while we resided at San Marcos, in Hays County, and later while I was residing at San Antonio, in Bexar County, Tex., I was married to R. Y. Thomas, of Central City, Ky. Mr. Thomas and I had two children, one a daughter named Barber Nell and the other a daughter named Annie Lee, both of whom are now living. Mr. Thomas and I were divorced in Kentucky in the year 1914, and later I married W. J. Barber, by whom I had no children, and he died at Carlsbad, N. Mex., in the year 1919.

At the time my last husband died we at first thought his estate of substantial value, but it developed that (in addition to his own obligations) he was on a large amount of notes for friends and relatives, the responsibility for which fell upon his estate, and through the district court I finally purchased his entire estate in consideration of my undertaking to pay the indebtedness against same. I received nothing from his estate except what I bought and am still trying to pay for.

At that time I thought the property worth as much as the debts, but the protracted and fearful drought and adverse financial conditions resulting therefrom caused the purchase to be a very unfortunate one

for me, and resulted in consuming practically all I had, in addition to my having to go in debt and being yet heavily in debt while trying to work out the indebtedness falling upon me as result of assuming to pay that which my husband owed at his death.

## II

At the time the divorce was granted between me and my former husband, Mr. Thomas, he required me to agree that I would become responsible for the support and maintenance of our two children; but, at the same time, promised and assured me then and theretofore, that he would, in fact, aid me in caring for, rearing, and educating them.

I was so anxious to have our two little girls awarded to me that I was willing to make any kind of agreement necessary to reach that result, and felt that Mr. Thomas would help them if necessary.

During the life of W. J. Barber he aided me in the support and maintenance of the two girls, and it was not important during that time that they should receive assistance from their father.

Mr. Thomas did help in a limited way in the support of the two girls, and, as closely as I can estimate, he sent them a total of from \$1,000 to \$1,200 between the time we were divorced and the date of his death.

I have every reason to believe, and do believe, that he was misled and misinformed as to the property I had and that which I had received through the estate of Mr. Barber, and that he, in fact, was led to believe that my financial condition was good, that I was abundantly able to take care of the two girls, and that they did not need assistance from him. This was not true as matter of fact. Continuously since I purchased the estate of Mr. Barber, my deceased husband, which was in the year 1921, I have been all the while heavily in debt and hard pressed for money, and utterly unable to do for the two girls as I would have liked to, and this is true at the present time.

## III

## IV

At the date when their father died our daughter Barber Nell was 18 years of age and our daughter Annie Lee 15 years of age. The latter had not then yet completed the high-school course in the public schools at Carlsbad and has never been to college nor secured anything in the way of a college education.

The older girl graduated in the high school at Carlsbad and I sent her to the New Mexico State University at Albuquerque. When she had gone through about one and one-half years she was sent home with incipient tuberculosis. I was then under the awful financial depression existing in New Mexico and borrowed through my brother at San Marcos, Tex., from the State Bank & Trust Co. there money and secured specialists to examine Barber Nell. Under their advice, her younger sister, Annie Lee, and I together nursed and cared for her while she took a rest cure of about four or five months, which she spent in bed.

It was then necessary to send her out of the summer heat and she wrote her father for help. He sent her at that time \$100, and I supplemented that and built her a cheap little cabin in the mountains of New Mexico, where she and her younger sister lived during the heated term, I myself having to remain on and try to keep the ranch going. She was finally pronounced by the lung specialists as well, but we have had to be extremely careful of her health continuously since and she is not yet normal.

In the meantime financial conditions had grown even worse with me and I was unable to furnish the expense money for Barber Nell to return to the university. She borrowed enough from her sorority, the Kappa Kappa Gamma, to go again to the university for the last semester, and thereby secured sufficient credits to enable her to teach. She secured a little school far out in the country and began teaching in the month of September, 1925, and continued until the close of her school in May, 1926, and thus earned the money to repay that which she had borrowed from the sorority.

She has now again borrowed money in the same way, and at this time is in the university at Albuquerque, paying her own way with that borrowed money and as assistant teacher to the professor of psychology.

## V

My own financial condition is at this time still bad, and I am able to continue my efforts to live and work out on the ranch proposition only through assistance and loans made me from time to time by the State Bank & Trust Co. of San Marcos, Tex., with which my brother is connected.

Cattle prices have been recently looking up some, and I am hoping eventually to be able to work out and pay what I owe; but it will require the utmost economy and strictest attention to my business to enable this to be done.

## VI

My two girls need very badly any assistance the Congress may see fit to give them, not only to live upon, but to complete their education. They have no one except me to care for them, and I am now past 60 years of age, with small chance to be of material assistance.

ANNIE L. BARBER.

STATE OF NEW MEXICO, *County of Eddy:*

Before the undersigned, a notary public in and for said county and State, on this day personally appeared Mrs. Annie L. Barber, a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and she being by me duly sworn upon oath she did state that the facts set out and shown therein are in all things true.

Given under my hand and seal of office on this the 17th day of December, A. D. 1926.

[SEAL]

NORMA T. POWERS,  
Notary Public, Eddy County, N. Mex.

My commission expires August 19, 1930.

Here is another affidavit made by W. G. Barber, of Texas, one of the most prominent lawyers of south-central Texas, a man whose word is as good as his bond, a man who stands as high as any man in any State, and who is perfectly familiar with Mrs. Thomas's affairs, because he is a brother and has had to help her by personal contributions as well as loans.

Mr. HUDSPETH. That is Judge Barber, of San Marcos?

Mr. BUCHANAN. Yes.

Mr. HUDSPETH. Whom I have known for 25 years. No better citizen lives on this earth.

Mr. BUCHANAN. That is the gentleman.

STATE OF TEXAS, *County of Hays:*

For the information of all concerned, I, Will G. Barber, of Hays County, Tex., do now here state as follows:

I

I reside at the town or city of San Marcos, in Hays County, Tex.; have lived in that county all my life and am now 58 years of age.

My profession is that of a lawyer, and I am, in addition, president of the State Bank & Trust Co., doing business at San Marcos, and have been since its organization.

II

I am a brother of Mrs. Annie L. Barber, residing now at Carlsbad, N. Mex., she being the same person making two certain affidavits sworn to December 17, 1926, before Norma T. Powers, a notary public of Eddy County, N. Mex., and to which affidavits this statement will be attached.

III

I know that the statements contained therein as to the financial condition of my said sister and her two daughters are true.

In addition, I state that my sister is now more than 60 years of age, her health, vigor, and vitality much impaired, and both her physical and financial condition make it very difficult and almost impractical for her to give to the two girls, Barber Nell and Annie Lee, the financial assistance needed to enable them to properly complete their education.

The older girl, Barber Nell, is rather delicate, and really needs further special care and treatment to build her up and overcome, if possible, any yet remaining danger from tuberculosis.

IV

While the statement of my sister's financial condition as made by her shows a net worth of approximately \$10,000 at date of death of Mr. R. Y. Thomas, her former husband, yet the current income from her property all the while fell substantially short of taxes, interest on her indebtedness, and the unavoidable expense incident to the continued operation of the little ranch.

Repeatedly she has had to secure financial help through me here. This help I have at times furnished to her individually, and at other times through loans from the State Bank & Trust Co. of this place.

The property she now has could not be sold for enough to pay what she owes; and her only hope to work out from the indebtedness, so far as I can judge, is to hold on to the little ranch, if she can, and take chances on the cattle business reviving sufficiently to enable her to work out.

There is no one to help her actually manage the ranch, while hired help is both expensive and more or less unsatisfactory. These conditions put her at a disadvantage in the effort to overcome the indebtedness, especially when considered in connection with her age and physical condition.

V

In order to complete such education as they should have, and in order to care for them as should be done, the two girls, Nell and Annie Lee Barber, very much need additional financial help over and above that which they have in their own right and that which they could reasonably expect from their mother.

Witness my signature at San Marcos, Tex., on this December 20, A. D. 1926.

WILL G. BARBER.

STATE OF TEXAS,  
*County of Hays:*

Before me, the undersigned authority in and for Hays County, Tex., on this day personally appeared Will G. Barber, known to me to be the person whose name is subscribed to the foregoing instrument, and

he to me acknowledged that he had executed the same for the purposes and considerations therein expressed, and at same time, being by me duly sworn, upon oath he did state that the facts set out in said instrument are in all things true.

Given under my hand and seal of office on this the 20th day of December, A. D. 1926.

[SEAL]

T. C. JOHNSON, Jr.,  
Notary Public, Hays County, Tex.

Here is a statement signed by Mr. Dover Phillips, a disinterested lawyer of Carlsbad, N. Mex., which speaks the truth as to the financial condition of the mother of the minor children of our late colleague, Mr. Thomas:

I represented the administratrix of the estate of William J. Barber during all the time the estate was in litigation and until the estate was finally settled. At the time of Mr. Barber's death he owned certain ranches and livestock which had a fictitious value of many thousand dollars, and the first inventory filed showed these fictitious values, and liabilities of small amount, making the estate to appear to be worth considerable money. During the period of administration we found that the cattle and ranches could not be sold for the price fixed in the inventory, and it also developed that Mr. Barber had indorsed for his friends and relatives a great number of notes which were filed as claims against the estate, and which in fact amounted to more than the value of the estate; however, Mrs. Annie L. Barber, when no other purchaser could be found, took over the estate and paid all of this indebtedness, mortgaging the property in order to secure money to do so. This has proven to be a great loss to her, as the debts which she paid, which was the purchase price of the property, amounted to a great deal more than it was worth. She has had to sacrifice other property owned by her prior to her marriage to Mr. Barber in order to pay off the indebtedness thus incurred. Since she took over this ranch property we have had an extreme drought prevailing here causing an almost total loss to the cattle industry. Mrs. Barber has suffered severely by reason of this.

At the time of Mr. Barber's death in 1919 we had, and still have, a State inheritance or succession tax on estates valued at more than \$10,000. This estate paid no tax to the State, for, as stated above, the estate was in fact insolvent.

Mr. HASTINGS. Will the gentleman permit me to ask him a question?

Mr. BUCHANAN. Certainly.

Mr. HASTINGS. Are the only beneficiaries in the gentleman's amendment the children of Mr. Thomas?

Mr. BUCHANAN. Absolutely.

Mr. HASTINGS. It does not include the former wife?

Mr. BUCHANAN. Absolutely not.

Mr. HASTINGS. But there are three living children?

Mr. BUCHANAN. There are.

Mr. PARKS. Will the gentleman state what the ages of those children are now?

Mr. BUCHANAN. I will. One is 16 years old and the other is 19.

Mr. PARKS. That is, the girls?

Mr. BUCHANAN. The girls; yes.

Mr. BYRNS. I understood she was 21 or more.

Mr. BUCHANAN. I understood the gentleman from Tennessee to make that statement the other day. I went and investigated it and found both of them are minor children.

Mr. BYRNS. I accept the gentleman's statement; but I got my impression that she was 21 from the gentleman the other day.

Mr. HASTINGS. The girl is over age?

Mr. BUCHANAN. No; the boy is over age; he is between 30 and 40 years of age. He is deaf and dumb and unable to earn his own living. Mr. Thomas in his lifetime regularly contributed to his support.

Mr. JOHNSON of Texas. How many years was Bob Thomas a Member of the House? Can the gentleman tell?

Mr. BUCHANAN. No, sir; I can not.

Mr. HUDSPETH. About 16 years.

Mr. BUCHANAN. Gentlemen, I have here a statement from Mr. Marvin Livingston, who was born and reared in Carlsbad, N. Mex., and knows all about property values there. He is now attorney general of New Mexico, no kin to the Thomases, and certainly worthy of belief.

CARLSBAD, N. MEX., November 27, 1926.

HON. J. P. BUCHANAN, M. C.,

Washington, D. C.

DEAR SIR: In the interest of the two children of Hon. R. Y. Thomas, Nell and Annie Lee Barber, I am stating:

First, I am competent to report the statements I shall add because I was born here and have lived here all of my life. I have been in the cattle business all of my life, as was my father before me. I am familiar with this country. I knew Mr. Barber well. He was a



palbearer at my father's funeral, and I a palbearer at his, both being Masons. I have known Mrs. Barber and her girls ever since they have lived in this country. I am familiar with financial matters in this country. My father established the Livingston National Bank. His ranch joined that of Mr. Barber. My own also joins the Barber ranch.

The condition of the cattle industry here was good up until 1919. Mr. Barber died in that year. Since then the industry has gradually gone down and down, first causing the closing in on the cattle men by the moneyed interests holding cattle paper, then an unprecedented depreciation in cattle value, and last and worst, a prolonged and terrific drought. The cattle men saw their collateral starve to death before their eyes by the thousands. Old men, as well as young men, are now penniless who seven years ago were rich. I may quote my own case as typical. At the time of my father's death, he owned a ranch of many thousand cattle, he was president of the Livingston Bank, had \$300,000 loaned out on security, then good. In these few years we have seen it nearly all swept away. Every bank in the town failed during this depression. Not a cattleman in this country but had to take in most cases a complete loss.

Mrs. Barber could not have lived in this business and not have suffered with the rest. Mrs. Barber did not inherit Mr. Barber's estate, nor any part of it, because the security notes that he was on for his children and other near relatives covered the entire value of the estate after its depreciation.

The court, Judge SAM G. BRATTON, now United States Senator, sold the estate to Mrs. Barber for the debts that were against it, and even at that, she paid too large a price, considering the immediate further fall in values. There were no debts of her own against it. \* \* \* Five thousand cattle had to be shipped out of this country to salvage them, many thousands going to Old Mexico, Kansas, and elsewhere, but the salvaging cost about all they were worth.

Mrs. Barber, so far, has educated the girls the last few years, borrowing the money to do so, sending the older one to the University of New Mexico. When there was no more to be had, Nell Barber borrowed the money from her sorority, then taught school to pay it back. She was teaching to pay this back at the time of her father's death. This year she is again borrowing the money from her sorority—Kappa Kappa Gamma—and continuing her studies at the university, aiding herself also by assisting the professor of psychology. She had to remain out of school one year because of incipient tuberculosis. Her mother gave her the rest cure on the ranch, employed for her a tuberculosis specialist in Albuquerque, built her a small cabin in the mountains, nursed her herself, and restored her to health. Mr. Thomas contributed the total of \$200 to this end.

Mrs. Barber does not, and never did, own nine rent houses. She owns two small ones besides her home, a part of which she rents.

She, as have I, has a small stock in the Peoples Mercantile Co. That has paid for the last few years \$200 per year, but for several years prior it paid nothing.

She has bought no cars but Fords since Mr. Barber's death. They are necessities on every ranch for hauling ranch supplies, etc. The last one bought was in lieu of one accidentally burned and left too weak for hard service.

Yours sincerely,

MARVIN LIVINGSTON.

Mr. BYRNS. Will the gentleman yield?

Mr. BUCHANAN. Certainly.

Mr. BYRNS. Will the gentleman tell me just when Mr. Thomas was divorced?

Mr. BUCHANAN. In 1914.

Mr. BYRNS. And is it not a fact that he turned over to her property and money amounting to about \$38,000?

Mr. BUCHANAN. I do not know. I think not.

Mr. BYRNS. That is my information.

Mr. MADDEN. What he turned over was 640 acres of land—

Mr. BUCHANAN. Six hundred and forty acres of land in Reeves County, Tex.; Mr. HUDSPETH, your district—what is it worth?

Mr. HUDSPETH. And that land was worth \$1 an acre.

Mr. MADDEN. Wait a moment; that was not all—\$29,000 in cash, and then sold his home for \$5,000 and turned that money over to her, making \$34,000 and 640 acres of land.

Mr. WILLIAMS of Texas. What have the children of Mr. Thomas to do with that? How are they responsible in any way for that?

Mr. BUCHANAN. That is exactly the point.

I would like to ask the gentleman from Illinois [Mr. MADDEN] a question, inasmuch as he has raised this point, and I want to state here, gentlemen, that I regard my colleague, Mr. MARTIN MADDEN, very highly. I think his service in this Congress for the people of the United States has been greater than the service of any other Member. I am not saying this to propitiate his attitude in this case, but merely to render to

that man simple justice. He is simply killing himself working here for the people of this Nation. [Applause.]

Mr. BLANTON. Will the gentleman yield?

Mr. BUCHANAN. Wait a minute. I will yield in a moment.

I believe if Mr. MADDEN had known the facts he would not have hesitated one moment to have reported this matter favorably. [Applause.] He has formed his judgment upon misinformation.

Now, this is the statement I want to make to the gentleman: Suppose Mrs. Barber had had turned over to her by Mr. Thomas \$100,000, and suppose Mrs. Barber, in the meantime, made bad investments and lost it—are the children of Bob Thomas responsible for that? [Applause.]

Mr. MADDEN. Does the gentleman want me to answer that question?

Mr. BUCHANAN. No; not in my time; I am simply making that statement to the gentleman. No doubt, the gentleman will answer it when his time comes.

Mr. BLANTON. Will the gentleman now yield?

Mr. BUCHANAN. With pleasure.

Mr. BLANTON. I have been here 10 years, and without a single exception, whenever a Member has died, we have paid to his family one year's salary, and there has not been a single exception. Why should we make fish of one and fowl of another? We should treat them all alike.

Mr. BUCHANAN. That is the principle I am speaking for. Mr. HUDSPETH. And we have never taken into consideration their financial worth.

Mr. BLANTON. No; their financial standing has had nothing to do with it.

Mr. BUCHANAN. Let me call your attention to a few precedents.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BUCHANAN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more in order to cover these precedents, and I will not ask for any more time or accept any more time.

Mr. MADDEN. I hardly think it is fair for one gentleman to take up so much time on this one item, inasmuch as we are trying to get through with the bill to-day.

Mr. UPSHAW. Let the gentleman have five minutes.

Mr. MADDEN. I have no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BUCHANAN. Now, gentlemen, as to the precedents:

To pay Eleanor V. Wilmer, sister of Sydney E. Mudd, late a Representative from the State of Maryland, \$7,500. (Act of March 4, 1925.)

This was more than a year after Mr. Mudd died, and this was paid to a sister, full grown, fully educated, and equipped to fight the battles of life.

To pay the mother of H. Garland Dupré, late a Representative from the State of Louisiana, \$7,500. (Act of April 2, 1924.)

To pay Mary Steele Brinson, daughter of Samuel M. Brinson \$7,500.

To pay Grace W. Kilkison, daughter of Mahlon M. Garland, late a Representative from the State of Pennsylvania, \$7,500. Evidently the beneficiary in this case was a married woman or, perhaps, a widow.

To pay the mother of Charles A. Nichols, late a Representative from the State of Michigan, \$7,500.

To pay H. Belle Sulloway, a daughter of Cyrus Adams Sulloway, late a Representative from the State of New Hampshire, \$7,500.

In other words, if a deceased Member left a wife, we paid the money to her, and let me stop here and talk about that a moment. We have given this to wives worth over \$100,000, and I could call the names of some of them. Some of them may have had a million dollars. To those women, noble women, it is true, who walked over Brussels carpet through tessellated halls with glistening gems on their breast and glittering diamonds on their fingers we gave this money and we gave it to them promptly; but here is Bob Thomas—his sharp tongue may have lashed some to fury, but his children are not responsible for that. Here is Bob Thomas leaving one daughter struggling for an education and borrowing money from her sorority in order to get the proper credits to teach public school to pay the money back. There is another daughter who has never been to college and who is doing laundry work. One of them having been afflicted with consumption, and yet the great and good men composing the membership of this House quibble over giving these poor girls that which we have always given others. [Applause.]

I can not close these quotations without calling your attention to a statement in a letter from W. G. Barber to me which has

the ring of a true philosopher, a true humanitarian. It is as follows:

It occurs to me the two young girls are, in no event, chargeable with the unfortunate experiences of their parents; that result of any inquiry as to whether the father or mother, or both, were to blame should not affect them; that no character of agreement by the father with the mother could lessen his duty and obligation to his innocent children, and that to the extent they failed to receive from him, while living, the nurture, support, and education justly due them, the stronger is the present equity in their favor. In other words, if Congress is justified in aiding the children of a deceased Member who have been by him adequately cared for and supported up to his death, by a stronger logic such aid should be extended to children who have been less fortunate while he lived.

I quote from another communication:

They have lived since the death of W. J. Barber, her last husband, with the most rigid economy, doing all their own housework and much of the work on the ranch that ought to be done by men. No servants of any kind have been kept, and much, if not all the time, they have even done their own laundry work in trying to get by.

Unless in some way brought in actual touch with the situation as it has been in New Mexico for the last several years, one can form little impression as to the real condition. Both banks of Carlsbad failed and my sister took some loss in each thereof. I think three-fourths of the banks in the entire State failed and many of those who were thought well-to-do have been forced into bankruptcy. The only things which have prevented my sister having to quit and surrender what she had to creditors has been her indomitable energy and determination to work out and pay and what assistance I have been able to give her.

Let me summarize the principal facts which are established beyond question by affidavits and communications in my possession.

When Mr. and Mrs. Thomas married, Mr. Thomas had only \$500. They continued to live together for many years, during which period there was born to them two little girls, Barber Nell and Annie Lee. By the year 1912, they had by their joint efforts accumulated a community estate. Mrs. Thomas became fearful that Mr. Thomas, by reason of certain weaknesses, would dissipate the estate and she persuaded him to agree to a division. In this division he gave Mrs. Thomas a little over one-fourth of the estate, retaining for himself three-fourths. All the property they had was thus divided, except the home in Kentucky, and it was understood between them that this home was to belong to the girls, although no title was passed. Later Mr. Thomas sold this home for \$4,750 and sent the money to Mrs. Thomas.

After this division of property in 1912, they continued to live together as husband and wife for more than a year, when for causes unnecessary to mention a divorce became inevitable. In 1914 this divorce was granted, and no further division of property was made, and none was set aside for the maintenance and education of the children by Mr. Thomas or anyone else. Before Mr. Thomas would consent for Mrs. Thomas to have the custody of the little girls, he required her to enter into an agreement to maintain and educate them, which of course must be done out of her one-fourth of the community property, which Mr. Thomas conceded to her in 1912. After the divorce was granted, Mr. Thomas contributed to the support of the children between \$1,000 and \$1,200.

Mrs. Thomas married Mr. Barber, who was reputed to be rich. He was killed in a gasoline explosion in 1919. It developed in winding up his estate through the courts that his estate was insolvent.

Mrs. Barber, formerly Mrs. Thomas, endeavored to save the estate, mortgaging everything she had in order to pay off the indebtedness. A terrific drought came in New Mexico and bankrupted her, leaving her without means to maintain or educate Barber Nell and Annie Lee Thomas. She had no children by her last husband. Her entire yearly income is not sufficient to pay the interest on the debts and the necessary expense of running the ranch. How she expects to succeed, God only knows; I don't.

She is now over 60 years of age, weakened and failing, and she and the girls are doing all of the household work, including laundry, and she is tramping over and riding over the ranch in a vain effort to maintain and educate her daughters.

When Mr. Thomas died he left an estate. He made no will. There are three children—the deaf-and-dumb son, Rhea Thomas, Barber Nell, and Annie Lee, minor daughters, are his only heirs. Administration is pending in the courts in Kentucky over this estate and has been for one year and five months. How long it will be before these children will get their share, God only knows. The administrator of this estate wired me that the value of each heir's interest therein would be about \$8,500. When they get it, it will be a blessing, and I understand the

congressional gratuities that we vote to the families of deceased Members of Congress is to take care of immediate pressing demands upon them, and if ever in the history of Congress there has been anyone who stands more in immediate need of this gratuity than B. Y. Thomas's children, I have been unable to find the case.

I have submitted the facts, all the facts, to you, and my plea to you is not so much an individual plea for the Thomas children as it is not to show partiality but to treat all equally. I am a disciple of that great principle that the burden of government should rest equally upon the shoulders of all, and its blessings or gratuities should, like the dews of Heaven, descend equally upon the heads of all.

In principle I am opposed to gratuities of all kinds, but if the practice is to be continued in the present and future, as it has in the past, I am determined that the family of every Member shall receive equal consideration and equal recognition.

Mr. MADDEN. Mr. Chairman, the gentleman from Texas has made a very eloquent speech, and if he has not succeeded it is not because he has not made a great effort. We want everyone to understand that we have no prejudice against Mr. Thomas or his family. We do what we believe to be just.

Now, what are the facts as we understand them? The first fact is that Mrs. Thomas, the mother of these children, was divorced from Mr. Thomas. When she was divorced she made a contract with Mr. Thomas under which all the property he had went to her in consideration for which she was to take care of these children. Ten days after she was divorced she married another man named Barber. With that marriage an estate of \$150,000 came to her. That was added to what she got from Mr. Thomas.

Now, what did she get from Mr. Thomas? She got \$29,000 in cash. He sold his home that he lived in for \$5,000 and that was added to the \$29,000 in cash. She also got 640 acres of land. I do not know what the land was worth, but it does not matter. If there was a contract that could be legally made under which she was bound to care for these children that contract exists.

When Mr. Barber died I understand he left her 2,000 head of cattle. She made a sworn statement to the effect that she had these cattle when she was trying to borrow money from the War Finance Board. She also made a sworn statement that she only had 400 head of cattle for the purpose of taxation. If she was legally bound to take care of the children, the children have no claim against the Government. In fact, I apprehend that nobody has any claim for this, because it is a mere gratuity, but let us assume that this is a legal claim or obligation, and even then the gentleman from Texas is asking for \$2,500 more than the salary was at the time of Mr. Thomas's death. His salary was \$7,500.

Mr. BUCHANAN. Mr. Thomas died in August, and the salary took effect in March.

Mr. MADDEN. Our records show that the salary was only \$7,500 when he died.

Mr. BUCHANAN. I am willing to accept whatever the record shows.

Mr. MADDEN. When Mr. Thomas died he left an estate of \$35,000, and \$10,000 of that went to each of the three children, so they are not penniless, and the mere fact that the girls have had to do laundry work at home is no disgrace. My children do that; they do not have to do it, but we are very proud because they do it. [Applause.]

Mr. BYRNS. The information which came to the committee was that when the estate of Mr. Thomas, which is not yet wound up, is closed the children will get each \$10,000.

Mr. BUCHANAN. I have a telegram from the administrator of the estate that that is not so.

Mr. MADDEN. I want to make this statement, and let the House decide what it wants to do. As members of the Appropriation Committee, representing the American people through the Congress of the United States, we have come to you with a decision that we think is just, not only to these children but to the American people. [Applause.]

The CHAIRMAN. Does the gentleman from Indiana insist on his point of order?

Mr. WOOD. I insist on the point of order.

The CHAIRMAN. The gentleman from Indiana makes the point of order that there is no authority in law for this appropriation.

Mr. BLANTON. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. If this point of order is sustained, it stops the practice of paying to the estate or relatives of a deceased Representative anything?

The CHAIRMAN. The Chair does not think that is a parliamentary inquiry.



Mr. BLANTON. If the point of order is sustained, I hope the House will overrule it, because we ought to treat them all alike.

Mr. BYRNS. I make the point of order that the gentleman from Texas is out of order.

The CHAIRMAN. Can the gentleman from Texas cite any provision of law authorizing this appropriation?

Mr. BUCHANAN. There is no provision of law; it is a gratuity grown up by custom. The point of order is good.

The CHAIRMAN. The Chair is constrained to sustain the point of order.

Mr. HUDSPETH. Mr. Chairman, I respectfully appeal from the decision of the Chair. I think this House ought to settle it. Mr. Chairman, I withdraw that appeal at the request of my colleagues.

The Clerk read as follows:

To pay the widow of A. E. B. Stephens, late a Representative from the State of Ohio, \$10,000, to be disbursed by the Sergeant at Arms of the House.

Mr. BUCHANAN. Mr. Chairman, I make the point of order against this provision. There is no authority in law for it. It is a mere gratuity.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

The unexpended balances of appropriations for salaries of assistant clerks to the Committee on Appropriations for the fiscal year 1927 are made available for the payment from March 1 to June 30, 1927, inclusive, of salaries of assistant clerks for that committee in accordance with the positions and at the rates established by the legislative appropriation act for the fiscal year 1928.

Mr. WOOD. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WOOD: Page 3, line 4, strike out "March 1" and insert in lieu thereof "February 23."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana.

The amendment was agreed to.

The Clerk read as follows:

Committee on Ways and Means: After March 4, 1927, those members of the Committee on Ways and Means of the House of Representatives who are Members elect to the Seventieth Congress, or a majority of them, until the meeting of the first session of the Seventieth Congress, are authorized, by subcommittee or otherwise, to hold such hearings and to sit at such times and places within the United States, to employ such expert, clerical, and stenographic services, and to gather such information, through Government agents or otherwise, as to them may seem fit in the preparation of a bill or bills for the revision of the revenue act of 1926 and internal revenue laws, and of the laws relating to the administration of the customs, including the compensation of officers and employees of the customs service; and they are authorized to have such printing and binding done (notwithstanding any limitation in existing law as to number of copies of any document), and to incur such other expenses as may be deemed necessary; all such expenses (except for printing and binding, which shall be charged to the appropriation for printing and binding for Congress), not to exceed \$5,000, to be paid out of the contingent fund of the House on the usual vouchers approved as now provided by law.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph because it is legislation unauthorized by law.

Mr. HAWLEY. Mr. Chairman, will the gentleman withhold the point of order?

Mr. BLANTON. Oh, let us act simply according to the rules. Whenever we cut out the minor children of a deceased Congressman from a gratuity which has been given to the dependents of every other deceased Member every year since Congress first convened, we may as well conform to all the laws and the rules on every provision in the bill.

Mr. HAWLEY. This is a provision to enable the Ways and Means Committee to make necessary provision for the consideration of important legislation before the convening of the next Congress.

Mr. BLANTON. If the Senate is going to have to rewrite part of the bill, we may as well let them rewrite most of it. They are going to have to rewrite some of it over yonder.

Mr. HAWLEY. I ask the gentleman's consideration. This is a matter of allowing the House committee to render service to the House and to the country, and surely has nothing to do with any other provision in the bill.

Mr. BLANTON. Is that any more important than treating every one of us Congressmen alike?

Mr. HAWLEY. We have nothing to do with that.

Mr. BLANTON. We ought to treat them all alike. There ought not to be any difference in the treatment of the membership.

Mr. GARNER of Texas. Mr. Chairman, will the gentleman from Texas withhold his point of order for a moment?

Mr. BLANTON. Yes.

Mr. GARNER of Texas. Mr. Chairman, my colleague, as I understand it, reserves the point of order. This is the same procedure that was followed in the beginning of the Sixty-ninth Congress when the Committee on Ways and Means was authorized to sit prior to the convening of the Congress. If the membership will remember, we held meetings at that time which began, as I recollect, in October. By the time the Congress convened—I think the first day of its convening—the chairman introduced a completed bill for a reduction of taxation, which the Congress passed before the holidays. I am not anxious to work any more than anyone else. In fact, I would rather not do this, but undoubtedly it is in the interest of the Congress itself, and it is in the interest of facilitating work and bringing about possibly an early adjournment of the Congress. If we should wait until we came in December and start the hearings then, it would be February or March before we would be able to bring in a tax bill.

Mr. BLANTON. Is there any more reason for the gentleman from Indiana [Mr. WOOD] making his point of order than there is for my making mine?

Mr. GARNER of Texas. Oh, I think the gentleman is correct about that; yes. I think the gentleman from Indiana made a serious blunder when he made his point of order, but he was clearly within his rights.

Mr. BLANTON. Then, having established that he made a blunder, I withdraw the point of order.

Mr. SNELL. Mr. Chairman, I think all three of these committees should be treated alike. If they are willing to come here and work, we ought to let them do it.

Mr. BLANTON. Mr. Chairman, having established that the gentleman from Indiana [Mr. WOOD] blundered, I say I withdraw my point of order.

Mr. JOHNSON of Washington. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 4, after line 4, insert: "Committee on Immigration and Naturalization: After March 4, 1927, those members of the Committee on Immigration and Naturalization of the House of Representatives who are Members elect to the Seventieth Congress, or a majority of them, until the meeting of the first session of the Seventieth Congress, are authorized, by subcommittee or otherwise, to hold such hearings and to sit at such times and places within the United States, to employ such expert, clerical, and stenographic services, and to gather such information, through Government agents or otherwise, as to them may seem fit in the preparation of a bill or bills for the revision of the immigration, naturalization, and citizenship laws, and of the laws relating to compensation of officers and employees of the immigration service and the naturalization service; and they are authorized to have such printing and binding done (notwithstanding any limitation in existing law as to number of copies of any document) and to incur such other expenses as may be deemed necessary, all such expenses (except for printing and binding, which shall be charged to the appropriation for printing and binding for Congress), not to exceed \$5,000, to be paid out of the contingent fund of the House on the usual vouchers approved as now provided by law."

Mr. GARRETT of Tennessee. Mr. Chairman, I make the point of order on the amendment.

Mr. JOHNSON of Washington. Will the gentleman withhold that for a moment?

Mr. GARRETT of Tennessee. Yes.

Mr. JOHNSON of Washington. Mr. Chairman, this committee finds itself in the same situation that two or three other committees do, except in my opinion more so. I have in my hand here a bill which we have undertaken to get ready, and I will be very glad to submit it to anyone who feels that he would like to look at it. It is more than 100 printed pages. There would never be time in any ordinary session of Congress, either the long or the short session, for a nonprivileged committee like the Committee on Immigration and Naturalization to codify the immigration laws as they now exist or to rewrite the naturalization laws.

Mr. BLANTON. Would the gentleman, if his amendment gets by the point of order, mind having it amended by the insertion of a proviso that the Committee of the Whole House on the state of the Union may also sit in vacation to watch these other committees?

Mr. JOHNSON of Washington. Oh, I do not think that is necessary. I have a calendar here, and this shows that the Committee on Immigration and Naturalization has somewhere near 200 bills upon it. Each bill is serious and each Member wants to be heard upon his bill. Lawyers pretty generally agree that the immigration and naturalization laws, including the Chinese exclusion laws, are badly in need of revision. I am sincere in the belief that the work needs to be done. A sufficient number of the members have agreed to sit here and do the work.

Mr. HUDDLESTON. Has the gentleman submitted this matter to his committee, and can he tell us what is the attitude of his committee upon it?

Mr. JOHNSON of Washington. The committee favors it. We did introduce a bill (H. R. 17206) to provide for a joint commission—that is, the House committee and the Senate committee to sit as a commission—but have thought we could secure similar results by the amendment I have offered.

Mr. BOX. The gentleman does not mean us to understand that all the members of the committee favor this?

Mr. JOHNSON of Washington. I do not. I mean only to say that a majority of the members of the committee favor it. I would like at this point to pay a tribute to my friend from Texas, Mr. Box, who is a hard-working member of this committee and of other committees. No man in the House works harder. He has told me that he would be willing to sit, if we could arrange the authorization, to do some of the work that he knows ought to be done. I hope the gentleman from Tennessee will not insist upon the point of order.

The CHAIRMAN. Does the gentleman from Tennessee insist on the point of order?

Mr. GALLIVAN. Mr. Speaker, as a member of the committee I am going to speak to the point of order. I believe that the point of order is well raised, and I ask unanimous consent to extend my remarks in regard to this question. I state I will not print anything objectionable to the wonderful chairman of our committee.

The CHAIRMAN. Is there objection. [After a pause.] The Chair hears none.

Mr. GALLIVAN. Mr. Chairman, 14 years ago last June—to be specific, June 16, 1912—an Alabama Congressman went to Massachusetts with the Hon. William H. Murray to be present at the celebration of the Battle of Bunker Hill, one of the great and important opening battles of the American Revolution, which established American independence and laid the foundation of the principle of civil and religious liberty, through which the American Republic has grown great and prosperous, stable and happy, and which at this late day reactionaries and bigots are seeking to thwart and subvert.

The Alabama statesman in that day, before the discovery and organization of the Knights of the Night Shirt and the Night-blooming Brethren of the Torch and Tarpot, was young, vigorous, stout of lung, vociferous, and very audible, and he was the guest of the Knights of Columbus in Charlestown, breaking bread and eating salt with them in the shadow of Bunker Hill Monument, dedicated to the memory of those who died for American freedom and independence.

After dinner the visiting statesman addressed his hosts for two hours, and though an unkind newspaper press compressed his eloquence into an inch and a half of type his hosts sympathized with his just indignation and remembered his passionate deliverances. That night—June 16, 1912—he almost pulled the tail of the British lion out of its socket; he praised his hosts, commended their fidelity to religion, their loyalty to America, and the splendid work of peace, charity, and brotherhood they were engaged in. He lauded the race of his hosts—the Irish race—which he declared fervently was his race and spoke boldly and proudly of its services to Christianity, civilization, human liberty, and the upbuilding of the American Republic. His speech made a deep impression, coming from an Alabamian; it is still remembered despite the neglect of a cruel press and is still discussed, in view of and in contrast to the modern and later ideas of the vociferous orator.

Some philosopher has stigmatized consistency as the virtue of fools. The consistency that endures in the face of fluid and changing conditions of human progress is, of course, mere stupidity and mental inertia; but the consistency that clings to the fundamental truths of life and living, to the unchanging principles of life, liberty, and the pursuit of happiness is wisdom, as the desertion and betrayal of them is treachery and dishonor.

When a man accepts the hospitality of other men and breaks bread with them and publicly proclaims his faith in them, finding their collective activities productive of human good, their religious views and practices honorable and praiseworthy, their purposes pure and patriotic, and their history and tradition

worthy of loyalty, and then when, by reason of political expediency and deference to prejudice and ignoble propaganda, he changes his opinions and utterances in other and baser days and slanders his former hosts and distorts their character and reputation—then he, the ingrate guest, and not the men whose hospitality he once accepted, becomes the object of public contempt and distrust. Such a man can not escape the indignation of honorable men by noisy denial, shifty evasion, and ungenerous and unworthy appeals to passion and prejudice. He can not sponge from the brain of the men who gave him their best the memory of the words spoken when hearts were clean and times were normal, nor can he avoid reading the verdict of honorable men. The record remains; it is unexpungeable; and, as the Persian philosopher and poet Omar has said:

The moving finger writes; and having writ  
Moves on: Nor all your piety nor wit  
Shall lure it back to cancel half a line,  
Nor all your tears wash out a word of it.

Perhaps the political change that transformed that Congressman into a Member of another House, may in the transition, in the passage down the corridors of this historic Capitol, have brought about a species of reincarnation and a transmigration of souls, that drove out the blithe spirit of 1912, that under the inspiration of Boston beans and the stimulus of Bunker Hill beer had sung the praises of the Knights of Columbus and the sons of Erin, the glories of their race and religion and the grandeur of their aims; and intrenched in that roaring personality the diabolus of 1926, that spat venom, vilification, and vituperation on those with whom he broke bread in better days. Who knows?

Has the praise-chanting Congressman gone to glory? Does he sleep under the pines or in the canebrake, while crackers weep and hill billies mourn, while the diabolus, under the skin of Alabama's Thersites, threatens and thunders, rants and roars in the Senate? I do not know. I dare not guess. But—"There are more things in heaven and earth than we dream of in our philosophy."

They say the lion and the lizard keep  
The courts where lamshyd gloried and drank deep;  
And Bahrām that great hunter—the wild ass  
Stamps a o'er his head and can not break his sleep.

Here is a strange mystery of a dual personality that I can neither solve nor explain; one of those strange human problems that puzzle the race, when it attempts to fathom motives and resolve purposes. Evidently, Omar Khayyam, the wise old Persian toss-pot I have already quoted, was confronted with this same crassness of soul and crookedness of motive when he wrote—

Some sigh for the glories of the world; and some  
Sigh for the prophet's paradise to come;  
Ah, take the cash and let the credit go.  
Nor heed the rumble of the distant drum.

(for distant drum say "the loud tom-tom.")

There are days when we ponder on the wild man of Borneo. When we consider the man-eating giascutus of the circus, the gorilla howling in the African jungle, and the laughing jackass of the Australian bush, all strange manifestations of nature gone wrong. So we marvel at the Alabama mystery, hoping against hope that it will unveil itself to a waiting world and explain how and why the bean-eating evangel of peace and brotherhood of 1912 has become the blood-drinking thunderer for hate and hot stuff in 1926.

And, O my fellow sufferers, bombarded by the bawling Boreas who beats upon our ear drums, when will we learn the identity of those infamous letter writers who threaten our shrinking fellow Senator with death and destruction and find out if they be written in Alabama, Rome, Georgia, or within the precincts of the Capitol? Let he, she, or they be unveiled and the safety of the Congress, rather than his silence be assured.

Mr. GARRETT of Tennessee. Mr. Chairman, let me say that the next session of Congress is the long session. There were extraordinary reasons existing, it seems to me, that justified the granting of the right to the Ways and Means Committee to do what they asked and to the Committee on Appropriations. It is not necessary to go into detail as to why, but so far as this committee is concerned I understand there is a sharp difference of opinion among the Members, and there are a number of Members who do not feel that they should be called upon during the summer to do this work and feel it is unnecessary because the next session is the long session of Congress, and they will have ample time, and I insist on the point of order.

The CHAIRMAN. The point of order is sustained.



The Clerk read as follows:

Committee on Interstate and Foreign Commerce: After March 4, 1927, those members of the Committee on Interstate and Foreign Commerce of the House of Representatives who are Members elect to the Seventieth Congress, or a majority of them, until the meeting of the first session of the Seventieth Congress, are authorized, by subcommittee or otherwise, to hold such hearings, and to sit at such times and places within the United States, to employ such expert, clerical, and stenographic services, and to gather such information, through Government agents or otherwise, as to them may seem fit in the preparation of a bill or bills for regulating transportation by motor vehicles in interstate and foreign commerce; and they are authorized to have such printing and binding done (notwithstanding any limitation in existing law as to number of copies of any document) and to incur such other expenses as may be deemed necessary; all such expenses (except for printing and binding, which shall be charged to the appropriation for printing and binding for Congress), not to exceed \$2,500, to be paid out of the contingent fund of the House on the usual vouchers approved as now provided by law.

Mr. BLANTON. Mr. Chairman, I make the point of order that this is legislation unauthorized on an appropriation bill.

Mr. DENISON. Mr. Chairman—

The CHAIRMAN. Does the gentleman reserve the point of order?

Mr. BLANTON. I will reserve the point of order if the gentleman desires to speak. I will ask a question. The gentleman's committee has numerous employees who will not have anything to do from March 4 until December and yet they are asking for additional employees here, "to employ expert clerical and stenographic services," and so forth.

Mr. DENISON. That is to be expended during the hearings when the committee meets.

Mr. BLANTON. Why not use the employees the committee now has?

Mr. DENISON. We do not have—

Mr. BLANTON. They are annual employees on salary all the year.

Mr. DENISON. But we do not have any reporting force to take down testimony.

Mr. BLANTON. We have six stenographic committee reporters drawing salary during the nine-months' vacation—why not use them?

Mr. DENISON. Let me say there is no busier committee in the House than the Committee on Interstate and Foreign Commerce. We expect to have hearings and give consideration to a very important subject—namely, getting up legislation to regulate interstate transportation by motor vehicles, a very important subject, and—

Mr. BLANTON. I will make an agreement with the gentleman, that if he will add a proviso saying that the gentleman from Vermont [Mr. Gibson], who is doing some of the best work that has ever been done in Washington, may sit here in vacation also, I will withdraw the reservation.

Mr. DENISON. I do not know what that is, but I have no objection if he is willing to do it. I am talking about the importance of this provision of the bill. I hope the gentleman will not object.

Mr. BLANTON. I think it ought to go out and I insist on the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Committee on Appropriations: After March 4, 1927, those members of the Committee on Appropriations of the House of Representatives who are Members elect to the Seventieth Congress, or a majority of them, until the meeting of the first session of the Seventieth Congress, are authorized by subcommittee or otherwise, in the District of Columbia or elsewhere, to hold such hearings, to conduct such examinations of estimates of appropriations (including permanent and indefinite appropriations), and to get such information, through Government agents or otherwise, as to them may seem fit in the preparation of appropriation bills and a bill or bills for the revision of the laws concerning permanent and indefinite appropriations; and expenses for printing and binding in connection with the purposes of this paragraph shall be charged to the appropriation for printing and binding for Congress and expenses for stenographic reporting services shall be paid out of the contingent fund of the House on vouchers approved in accordance with existing law.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph that it is legislation unauthorized by law.

The CHAIRMAN. Does the gentleman insist on the point of order?

Mr. MADDEN. Mr. Chairman, I would like to ask the gentleman to withhold that. We are not asking for any money in this case.

Mr. BLANTON. I want my friend from Illinois to take a good long rest and vacation this summer and not work here in Washington.

Mr. MADDEN. But that has nothing to do with this case.

The CHAIRMAN. Does the gentleman reserve the point of order?

Mr. BLANTON. I can not get these minor children of Bob Thomas out of my mind.

Mr. MADDEN. We did our duty as we saw it.

Mr. BLANTON. I know that; and we Members left here ought to know what is going to be done when we die.

Mr. MADDEN. But that is outside of this question that is before us. First, everybody knows that our committee will go to work. We are not asking for a dollar; there will not be a dollar spent, but we are going to study the problems of permanent appropriations and see how we can eliminate.

Mr. BLANTON. I want to say to the distinguished gentleman from Illinois that the Senate is going to put Bob Thomas's item back, and it will also put the gentleman's item back. I want them all to go together into the bill. I will withdraw my point of order.

The CHAIRMAN. The gentleman from Texas withdraws his point of order.

Mr. WOOD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Indiana.

The Clerk read as follows:

On page 5, after line 19, insert the following: "For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand, fiscal year 1927, \$3,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STRONG of Kansas. Mr. Chairman, I have an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kansas.

The Clerk read as follows:

After the end of line 19 on page 5, a new paragraph:

"Committee on War Claims.—After October 1, 1927, those members of the Committee on War Claims of the House of Representatives who are Members elect to the Seventieth Congress, or a majority of them, until the meeting of the first session of the Seventieth Congress, are authorized, by subcommittee or otherwise, to hold such hearings and to sit in the District of Columbia, to use the regular official stenographers employed by the House for reporting committee hearings, and to gather such information with regard to claims against the Government that arose prior to the Spanish-American War as to them may seem fit in the preparation of a bill or bills for the settling of such claims; and they are authorized to have their hearings printed and binding done, and to incur such other reasonable expenses as may be deemed necessary, which binding and printing shall be charged to the appropriation for printing and binding for Congress, and balance to be paid out of the contingent fund of the House on the usual vouchers approved as now provided by law."

Mr. BLAND. Mr. Chairman, I make a point of order on the amendment. It is legislation on an appropriation bill.

The CHAIRMAN. The gentleman from Virginia makes a point of order on the amendment on the ground that it is legislation on an appropriation bill.

Mr. STRONG of Kansas. Mr. Chairman, will the gentleman withhold his point for a moment?

Mr. BLAND. Yes.

Mr. STRONG of Kansas. Mr. Chairman, I would like to say to the House that, as is generally known, for 10 or 12 years past it has been the rule of the Committee on War Claims not to report favorably claims against the Government prior to the Spanish-American War. There has been much complaint against that rule, and at times an effort has been made to suspend such rule, but without success, so that such claims have not been favorably reported by my committee. Recently the Senate has started the practice of adding claims arising out of the Civil War to bills reported out of the War Claims Committee and passed by the House, and we are engaged in conference over such a bill now, in which the Senate added \$700,000 of Civil War claims to a bill passed by this House to settle some undisputed claims at the request of the War Department which grew out of the World War; so that unless some provision can be made for further consideration of the Civil War claims, all claims growing out of recent wars are apt to fail to pass the Congress.

The Committee on War Claims, of which I am chairman, has therefore instructed me to offer this amendment, which will

enable the War Claims Committee to meet during October and November, while Congress is on vacation, and consider all Civil War claims and make report at the beginning of the next Congress, and their action was in response to the appeal of Members on both sides of the House.

I am but carrying out the instructions of my committee and trying to keep faith with Members interested in Civil War claims and with the conferees of the Senate on the bill I have referred to.

Mr. BLAND. That is a rule of the committee, and it can be abrogated by the committee at any time.

Mr. STRONG of Kansas. It can be abrogated by a two-thirds vote, but we have not been able to get a two-thirds vote.

Mr. BLAND. But you can make a new rule.

Mr. WINGO. There is nothing in the rules or statutes to make a committee do what it does not want to do.

Mr. BLAND. Claims are always active. I renew my point of order on the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. GIBSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Vermont moves to strike out the last word.

Mr. GIBSON. I do so for the purpose of making a statement, and then will ask the chairman in charge of this bill a question.

It has been stated by the gentleman from Texas [Mr. BLANTON] that a subcommittee of the Committee on the District of Columbia is making a survey of the Government of the District of Columbia. We have been conducting hearings at this session. I will call the attention of the Members to some of the things we find in connection with the government of the District of Columbia. We find that on the police court docket there are 1,585 jury cases pending; that the jury calendar is 16 months behind. The result is that the bootleggers and others violating the laws are able by demanding jury trial to avoid the penalties imposed by law.

Mr. BLANTON. Why does not the gentleman state that his committee, 21 strong, unanimously authorized the gentleman to go on and clean up this District? It is doing good work. I do not think any one will obstruct his amendment.

Mr. MADDEN. The trouble is that the gentleman's committee has not yet been named. No one knows who is going to be on it.

Mr. BLANTON. But his committee is already in existence. The amendment provides that his committee should continue its work during the vacation. The gentleman knows what good work it is doing.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield for a question?

Mr. GIBSON. Yes.

Mr. CRAMTON. The gentleman has spoken of the delay in jury trials, which permits many persons arrested to escape all trial and punishment. Has the gentleman's committee, having established that fact to their satisfaction, recommended to this House any legislation to cure that situation, either through an additional number of judges or otherwise?

Mr. GIBSON. We have two bills now pending before the District Committee, one of which has been reported. We have another bill which has been held up by a filibuster on another measure during the last two sessions of the District Committee, and we have not thus far been able to get it out.

Mr. CRAMTON. There is nothing more important in a city than to have enforcement of the law; and as long as these criminals are arrested and immediately set free and arrested again, without trial or punishment, there can not be proper enforcement of the law. I know of cases where men have been arrested four or five times for a repetition of the same offenses without ever having a trial, to say nothing of punishment. The police can not enforce the laws under those conditions. I hope the gentleman will not limit himself to investigations only. I hope he will bring into the House bills to get that legislation.

Mr. GIBSON. We have two bills to cure that situation.

The CHAIRMAN. The time of the gentleman from Vermont has expired.

Mr. GIBSON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. GIBSON. Mr. Chairman, these gentlemen have taken up so much of my time that I am not going over the different things we have discovered in connection with the District government, except to say that we have already made recommendation which mean the saving of \$100,000 a year in the District. We have made a recommendation that will reduce the

uncollected personal property tax by \$100,000 a year. We employed the Bureau of Efficiency for this work. They are about half way through.

Mr. MADDEN. They can be continued in the work and will be whether the gentleman gets this permission or not.

Mr. GIBSON. I am glad of the assurance from the chairman of the committee that that work would continue.

Mr. MADDEN. It will.

Mr. WOOD. Mr. Chairman, I do not want the gentleman from Vermont to be working under a misapprehension. Of course, this work will be continued; there is no doubt about that, but it will take an affirmative act of Congress to continue this committee.

Mr. MADDEN. I was not talking about the committee; I was talking about the Bureau of Efficiency.

Mr. WOOD. That work will be continued.

The pro forma amendments were withdrawn.

The Clerk read as follows:

Capitol power plant: For maintenance, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1921, \$178.

Mr. ABERNETHY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ABERNETHY: Page 6, between lines 18 and 19, add the following: "To provide for the purchase and installation for the Chamber of the House of Representatives and cloakrooms of improved ventilating, dehumidifying, automatic controlling refrigerating equipment with necessary distributing ducts and water piping to connect the different units of this apparatus and for all necessary changes required for such installation, including engineering and other personal services, and traveling expenses incident thereto, \$245,000."

Mr. BLACK of Texas. Mr. Chairman, I make a point of order against the amendment. The point of order I make is that it provides for an appropriation not authorized by law.

The CHAIRMAN. Does the gentleman contend that all of the paragraph covers items which are not authorized by law?

Mr. BLACK of Texas. The paragraph that has been offered as an amendment.

The CHAIRMAN. The Chair is of the opinion that the latter part is subject to a point of order and, of course, that makes the whole amendment subject to a point of order. The Chair sustains the point of order.

Mr. ABERNETHY. Mr. Chairman, I offer another amendment. Between lines 18 and 19 I offer this amendment:

For ventilating the House of Representatives and the cloakrooms, the sum of \$245,000.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ABERNETHY: On page 6, after line 18, insert a new paragraph to read as follows:

"For ventilating the House of Representatives and cloakrooms, \$245,000."

Mr. BLACK of Texas. Mr. Chairman, I reserve a point of order against the amendment in order that the gentleman may make his statement.

Mr. MADDEN. Will the gentleman from North Carolina yield to me for a question?

Mr. ABERNETHY. Yes.

Mr. MADDEN. How does the gentleman know it will cost \$245,000? How did the gentleman get that information? Nobody else seems to know. The architect does not know, and nobody was able to give the Appropriations Committee any information as to what it would cost. This is just a guess.

Mr. ABERNETHY. I hope the gentleman will not take up all of my time. I will say to the gentleman from Illinois that I am reading from the hearings on pages 368, 369, 370, 371, and 372. There is an exhaustive statement there by the Architect of the Capitol, and while I do not expect, with the Appropriations Committee as a unit taking the position they have taken, to get this amendment adopted at this time, I offer it for the purpose of calling the attention of the House again to this situation.

Mr. MADDEN. Will the gentleman yield to me for one further question?

Mr. ABERNETHY. Yes.

Mr. MADDEN. I will ask for a little more time if it is necessary. The Architect of the Capitol, while he testified on the pages referred to by the gentleman from North Carolina, did not know anything at all about the cost of this. He sub-



mitted to the committee a statement by one of the ventilating concerns of the United States which was interested in getting this money appropriated. This was without any competition, any investigation, or any justification so that the Committee on Appropriations would be justified in bringing to the House a recommendation of this kind. I ask the House not to adopt the amendment until we have some definite information which indicates that there is only one concern in the United States which has been consulted.

Mr. ABERNETHY. Will the gentleman answer a question I might propound to him?

Mr. MADDEN. I will if I can.

Mr. ABERNETHY. My understanding is that the gentleman is in favor of a proper ventilation system for the House?

Mr. MADDEN. If it is necessary; yes.

Mr. ABERNETHY. Assuming I withdraw my amendment for an appropriation, would the gentleman from Illinois be willing to accept the amendment providing that the architect should make a report to the next Congress after a study of this question?

Mr. MADDEN. Under the authority which the House has just given the Committee on Appropriations to work during the summer, we will undertake to require the Architect to furnish the Committee on Appropriations with authentic information so that we can report back to the House and we hope in this way to be able to give you something we can justify.

Mr. ABERNETHY. As I understand the gentleman's statement, the gentleman favors proper ventilation of the House Chamber and the only reason he is not in favor of it at this time is because there is not sufficient information before the committee to make a recommendation. Am I correct in my understanding?

Mr. MADDEN. Yes.

Mr. ABERNETHY. If that is the attitude of the chairman of the Committee on Appropriations I ask permission to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment of the gentleman from North Carolina is withdrawn.

There was no objection.

Mr. BLAND. Mr. Chairman, I have talked with the gentleman from Kansas [Mr. STRONG], the chairman of the Committee on War Claims, and I withdraw the point of order I offered to his amendment a moment ago.

Mr. STRONG of Kansas. Mr. Speaker, I ask unanimous consent to return to page 5, line 19, for the purpose of offering an amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STRONG of Kansas: At the end of line 19, on page 5, insert a new paragraph to read as follows:

"Committee on War Claims: After October 1, 1927, those members of the Committee on War Claims of the House of Representatives who are Members elect to the Seventieth Congress, or a majority of them, until the meeting of the first session of the Seventieth Congress, are authorized, by subcommittee or otherwise, to hold such hearings, and to sit in the District of Columbia, to use the regular official stenographers employed by the House for reporting committee hearings, and to gather such information with regard to claims against the Government that arose prior to the Spanish-American War as to them may seem fit in the preparation of a bill or bills for the settling of such claims; and they are authorized to have their hearings printed and binding done, and to incur such other reasonable expenses as may be deemed necessary; which binding and printing shall be charged to the appropriation for printing and binding for Congress, and balance to be paid out of the contingent fund of the House on the usual vouchers approved as now provided by law."

Mr. JOHNSON of Washington. Mr. Chairman, I make the point of order that this is legislation on an appropriation bill.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Enlargement and relocation: For carrying out the provisions of paragraphs 1 and 2 of section 1 of the act entitled "An act to provide for enlarging and relocating the United States Botanic Garden, and for other purposes," approved January 5, 1927, fiscal years 1927 and 1928, \$600,000.

Mr. BLACK of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK of Texas: On page 7, line 6, after the figures "\$600,000," insert: "Provided, That no part of this appropriation shall be expended for the purchase of any land and improvements thereon, the cost of which shall exceed the full value assessment of such property last made before purchase thereof plus 25 per cent of such assessed value."

Mr. BLACK of Texas. Mr. Chairman, on page 12 of the bill is found an appropriation of \$50,000 to purchase a site for the Randall School and attached to that appropriation is the following proviso:

Provided, That no part of this appropriation shall be expended for the purchase of any site the cost of which shall exceed the full value assessment of such property last made before purchase thereof plus 25 per cent of such assessed value.

The language of the amendment I have offered is practically the same as the language on page 12 of the bill. On page 12, also, of the hearings the following colloquy is reported:

Mr. WOOD. The first thing to do is to get the land, is it not?

Mr. LYNN. That is the first thing to do. I had an estimate made for the cost of the land by Mr. Harold E. Doyle, vice president of Thomas J. Fisher & Co., last year, and his estimate was \$800,000 for the two squares.

Mr. WOOD. What is the assessed value of it; do you know?

Mr. LYNN. Square 576, the larger square facing Maryland Avenue, is assessed, with the improvements, at \$334,096; and doubling that would reach the selling price at \$668,192.

Now, why should we pay double the assessed value of land here in the District of Columbia when the Government of the United States goes to purchase it for sites for public buildings or schools?

How are the assessments made here in the District of Columbia? They are not made by voluntary assessment. You do not go down there and render an assessment of your real estate. The assessments are made by the assessor of the District and are supposed to be made upon full value. Of course, the assessor is careful to not overvalue property, and I commend him for that.

I happen to own a small piece of property in the District and I know perfectly well that I can not sell that property at any time for double its assessed value.

I think I have some idea about property values, and I am sure that I could not get more than 25 per cent in excess of the assessed value of my property. I am sure of that, and yet it seems the universal rule that if you go out and buy land for the Government, if Congress does not put a limitation on it, it seems to be the accepted rule to double the assessed value; sometimes much more than that.

Mr. SNELL. Will the gentleman yield? I have a good deal of sympathy with what the gentleman is saying, but I do not know whether the limit of 25 per cent is an equitable price in business. I would like to ask the gentleman if he bought his property for 25 per cent more than it was assessed?

Mr. BLACK of Texas. I do not know what the property was assessed for when I bought it. I feel as sure as I feel sure of anything that I can not obtain for my property in the District a cash price of much more, if any, than 25 per cent in excess of its assessed value. I am willing, however, to modify my amendment by inserting 50 per cent instead of 25 per cent. That certainly would be enough to allow ample leeway in the purchase of this property.

Mr. Chairman, I ask unanimous consent to modify my amendment by inserting 50 per cent instead of 25 per cent.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to modify his amendment as indicated. Is there objection?

There was no objection.

Mr. BLACK of Texas. Now, continuing the reading further from the hearings, Mr. WOOD said:

Why would you double the assessing of this property at its full cash value?

And Mr. LYNN answered:

That has been the customary way of figuring the value of property.

I suppose it has been the customary way whenever the Government goes out to buy a site to double and sometimes treble the assessed value. I think it is getting time that Congress should stop that custom. I am glad that the Committee on Appropriations has seen fit to add a limitation to all of these school-site purchases, providing that they shall not be made at a greater cost than 25 per cent above their assessed valuation.

Mr. WOOD. Mr. Chairman, I want to call the committee's attention to two or three things which I think would be controlling in fixing the price of ground for public improvements. The 25 per cent that has been referred to has only been applied to park sites and school sites. For the most part they are unimproved property; that is, there are no public or prominent private buildings on them.

I am in entire accord with the gentleman from Texas on his proposition in general, and I think I have iterated and reiterated many times that the Government should not be held up in making public improvements in the city of Washington.

In the particular instance to which this amendment refers I desire to call attention to the fact that the property involved has upon it some very valuable improvements. One of those is the oil-filling station, which I guess is a gold mine to the owner, at the foot of the hill. It is a valuable improvement, and I expect must be taken into consideration in arriving at an approximate value of that property.

There is the bond-banking concern next to it, which is very active and profitable business in this town. Next, is the church occupied by colored people which is a substantial piece of property. Outside of that there are no particularly valuable improvements on the property.

Taking these things into consideration and realizing the fact that the 25 per cent to which the gentleman from Texas alludes could not possibly apply there we feel that we were justified in our desire in saving money to the Government to reduce the requested appropriation from \$800,000 to \$600,000. The assessed value of the property is \$387,000, 50 per cent of that is \$193,500, making a total of \$580,500, which is within \$20,000 of the amount we have allowed. The gentleman from Texas has modified his amendment so as to make it 50 per cent. It occurs to me that it is not wise where the difference is so small between the proposed appropriation and the provision of the gentleman from Texas to adopt his amendment.

Mr. SNELL. There is only \$20,000 difference?

Mr. PERKINS. Is there any assessed value of the church?

Mr. WOOD. The church property has no assessed value, but it has a purchase value.

The property here that is assessable is \$387,000, assessed value.

Mr. PERKINS. The gentleman's amendment provides that it can not be purchased for more than 50 per cent beyond its assessed value. If it is not assessed, what are you going to do?

Mr. WOOD. Yes; and that does not include the church property at all.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SNELL. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. SNELL. I do not think there is much to argue about if it is only \$20,000; but I am in favor of a limitation, and I think that is a reasonable limitation. I think it would be better for us if we have some limitation, considering the fact that we are going to spend twenty or thirty million dollars in the acquisition of property in the District in the next few years. I think it would help the people who are trying to make purchases, and when you add 50 per cent more than the assessed value as a usual thing you will come to pretty nearly getting a fair price.

Mr. WOOD. Mr. Chairman, this is a very difficult proposition. Let me give you an illustration. Take the property that we have already made appropriation for, on which to construct the Supreme Court Building. It is across the street from the Library of Congress. The assessed value of that was \$800,000 and odd. They asked for an appropriation not only for twice the assessed value but an additional \$200,000 for speculative value.

Mr. SNELL. Did we pay that for it?

Mr. WOOD. No; we did not. We allowed them twice the assessed value, but nothing for the speculative value, and that provision has passed both the House and the Senate. We did not take into consideration the speculative value. Now, take that property over there, and everyone who is acquainted with the two locations which are now considered will realize that the property over there opposite the Library of Congress is much more valuable than is the property down here at the foot of the hill; so that I say that it is a mighty hard thing to make a hard and fast rule with reference to fixing the per cent of value on the price to be paid.

Mr. SNELL. If the property is more valuable, the assessors ought to take that into consideration.

Mr. WOOD. They ought to do that; but here is the trouble with which Congress finds itself confronted, and it is one of the difficulties in arriving at these values when we desire to make Government improvements. The law requires that the property in this town shall be assessed at its fair cash value, dollar for dollar, but this is not done. There is a great difference between its taxable value and its sale value. All of the real-estate people here recognize the difference between taxable value and sale value. They also have a speculative value in addition.

Mr. SNELL. And we are creating that speculative value.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that his time be extended for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. WOOD. Yes.

Mr. BLANTON. I think the gentleman is mistaken about the amendment involving only \$20,000. If you agree to this amendment, you will prevent them from paying \$167,000 that they otherwise could pay, so that it involves quite a big sum.

Mr. WOOD. Mr. Chairman, the gentleman is mistaken.

Mr. BLANTON. It is \$334,000. They could pay that much, and half more is \$167,000.

Mr. WOOD. The appropriation made by the committee was \$600,000, as compared with a request for \$800,000.

Mr. BLANTON. Six hundred thousand dollars means double, according to Mr. Lynn's estimates.

Mr. WOOD. No. The assessed value of the property is \$387,000.

Mr. BLACK of Texas. The square 576 is \$334,000, and the other square is only a little improved, and that makes up the difference.

Mr. WOOD. The difference is simply \$25,000, and it occurs to me that the judgment of the committee ought to obtain, because we whittled these people down as close as we possibly could. There ought to be some little leeway.

Mr. ZIHLMAN. Under the limitation proposed by the gentleman from Texas, if the jury should award 160 per cent of the assessed value on one piece of property, the entire project would be held up.

Mr. WOOD. Yes; and this involves but 150 per cent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. Wood) there were—ayes 41, noes 51.

So the amendment was rejected.

The Clerk read as follows:

#### EMPLOYEES' COMPENSATION COMMISSION

For contingent expenses of the United States Employees' Compensation Commission for the fiscal year 1927, including the same objects specified under this head in the independent offices appropriation act for the fiscal year 1927, \$2,400.

Mr. WOOD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WOOD: On page 8, after line 12, insert a new paragraph as follows:

#### "INTERNATIONAL TRADE EXHIBITION

"For carrying out the provision of 'An act to provide for maintaining, promoting, and advertising the International Trade Exhibition,' approved February 14, 1927, fiscal years 1927 and 1928, \$150,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

#### MESSAGE FROM THE SENATE

The committee informally rose; and Mr. TILSON having taken the chair as Speaker pro tempore, a message from the Senate by Mr. Craven, its principal clerk, announced that the Senate agrees to the amendment of the House of Representatives to the amendment of the Senate numbered 25 to the bill (H. R. 15641) entitled "An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1928, and for other purposes."

#### DEFICIENCY APPROPRIATION BILL

The committee resumed its session.

The Clerk read as follows:

Police court: For personal services in accordance with the classification act of 1923, fiscal year 1927, \$840.



Mr. BLANTON. Mr. Chairman, the lady from Massachusetts has an amendment after line 22.

The CHAIRMAN. Is there objection to returning to the place where the amendment is offered? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Page 13, after line 22, insert a new paragraph as follows:

"For the preparation of plans and beginning the construction in Judiciary Square of a new building for the police court of the District of Columbia in connection with the provisions of the act entitled 'An act providing for an additional building for the use of the police court of the District of Columbia, approved July 3, 1926, \$250,000; to be expended under the direction and supervision of the Architect of the Capitol: *Provided*, That a contract or contracts may be entered into for the construction of such building at a cost not to exceed \$900,000.'"

Mr. WOOD. I reserve a point of order on the amendment.

Mr. BLANTON. It is not subject to a point of order.

Mr. WOOD. It is subject.

Mr. BLANTON. Let us see about that.

Mr. WOOD. I reserve the point of order.

Mr. BLANTON. I ask for the regular order. Let us have that case decided now, and I want to be heard for a moment on the point of order.

The CHAIRMAN. The regular order is the statement of the point of order.

Mr. BLANTON. The regular order is, Is there a point of order?

Mr. BEGG. Has a request for a return been put yet?

Mr. BLANTON. There was no return. The Clerk was reading when the lady tried to get recognition.

The CHAIRMAN. The Chair asked if there was objection to the return to the place where the amendment was offered to be made and there was no objection.

Mr. BLANTON. I ask to be heard on the point of order.

Mr. WOOD. If the gentleman from Texas at this time will curb his ambition a little I will say I have reserved the point of order to give the lady a chance to present her case—

Mr. BLANTON. I ask for the regular order which requires the gentleman to make his point of order.

Mr. WOOD. If the gentleman has not more respect for the young lady—

Mr. BLANTON. I think I am showing more.

Mr. WOOD. I do not think the gentleman is showing any respect at all. I am making a point of order that this is a change of existing law.

Mr. BLANTON. I ask to be heard on the point of order.

The CHAIRMAN. Does the gentleman from Indiana desire to be heard at this time?

Mr. WOOD. Yes; I do want to be heard.

Mr. UPSHAW. Let the lady be heard; we are anxious to hear her.

Mr. CARTER of Oklahoma. Why can not the gentleman reserve the point of order?

Mr. BLANTON. It is not subject to a point of order.

The CHAIRMAN. The gentleman from Texas is out of order.

Mr. WOOD. Mr. Chairman, I will be glad to give to gentlemen all opportunity necessary to the discussion of the point of order. I wish to call the attention of the Chair to the authorization. It is chapter 794, page 901 of the Statutes, and reads as follows:

That the Commissioners of the District of Columbia be authorized and instructed to enter into contract for the erection of a building for the use of the police court of the District of Columbia: *Provided*, That the location, plans, and specifications for such buildings shall be approved by the Fine Arts Commission and by the chief justices of said police courts and the Supreme Court of the District of Columbia.

Now I desire to call attention to the amendment, my point being it is a change of existing law. The amendment reads:

Page 13, after line 22, insert a new paragraph as follows:

"For the preparation of plans and beginning the construction in Judiciary Square of a new building for the police court of the District of Columbia, in connection with the provisions of the act entitled 'An act providing for an additional building for the use of the police court of the District of Columbia, approved July 3, 1926, \$250,000; to be expended under the direction and supervision of the Architect of the Capitol: *Provided*, That a contract or contracts may be entered into for the construction of such building at a cost not to exceed \$900,000.'"

Now, then, if it please the Chair, the amendment shows on its face that it is an absolute change of existing law.

Mr. ZIHLMAN. Mr. Chairman, I will call the Chair's attention to the rather broad provision of the second paragraph of the law authorizing the erection of this building. So far as the approval of the Fine Arts Commission and the judges of the court is concerned, that is not abrogated or repealed in any way by this provision that the building shall be erected under the supervision of the Architect of the Capitol. The Fine Arts Commission and the judges of the court have already acted. So far as refers to the site in Judiciary Square, as established by the amendment offered by the lady from Massachusetts, the language of the existing law is not repealed. The purpose is not abrogated by the language of the amendment offered by the lady from Massachusetts.

Mr. BLANTON. The act of July 3, 1926, authorizes just such a building as the lady from Massachusetts seeks to get money appropriated for; just such a building; and the Fine Arts Commission and the judges of all the courts of the District of Columbia have agreed upon Judiciary Square, in pursuance of this act. They have already exercised the discretion that is given them in this act in so locating it. The amendment offered by the lady from Massachusetts provides that it shall be in accordance with the act, not against it, but in accordance with the act.

But for every appropriation there must be some provision for some disbursing agent. Whenever a project is authorized by legislation it does not specify the disbursing agent. It is the Committee on Appropriations that names the disbursing agent. It does not in any way set aside the legislative authority for the lady from Massachusetts to put in an amendment providing that the money shall be disbursed by the Architect of the Capitol. The law provides for the police court and authorizes money to be appropriated for it. The law says "it shall be expended in like manner," and so forth. The legislation is unlimited as to money authorization. It leaves it wide open as the blue sky itself. It leaves it to the Committee on Appropriations or to the Committee of the Whole House to say how much money they will appropriate. The Committee on Appropriations having seen fit not to put in the item, the amendment is in order here, to be offered by anyone from the floor. Congress has authorized the building, and the lady from Massachusetts seeks to provide the money—something that the Committee on Appropriations ought to have done.

The CHAIRMAN. The Chair thinks the amendment changes existing law, and the point of order is sustained.

Mrs. ROGERS. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

For the preparation of plans and beginning the construction in Judiciary Square of a new building for the police court of the District of Columbia, in accordance with the provisions of the act entitled "An act providing for an additional building for the use of the police court of the District of Columbia," approved July 3, 1926, \$250,000, to be expended under the direction and supervision of the Fine Arts Commission of the Capitol: *Provided*, That a contract or contracts may be entered into for the construction of such building at a cost not to exceed \$900,000.

Mr. MADDEN. The Fine Arts Commission has no jurisdiction.

Mr. WOOD. I make a point of order on that. I base my point of order on the fact that it changes existing law.

Mr. ZIHLMAN. In what way?

Mr. WOOD. Read your amendment. It is up to you to defend it if you have any defense to make for it.

Mr. ZIHLMAN. I think this amendment of the lady from Massachusetts complies with the language of the act.

Mr. MADDEN. Where does the Fine Arts Commission get the authority to supervise the construction of buildings?

Mr. ZIHLMAN. Under the act authorizing the building the Fine Arts Commission must pass upon the location and plans of the building.

Mr. MADDEN. That is a different proposition.

Mr. CRAMTON. The gentleman admits that they are to pass upon the location, but the amendment fixes it in Judiciary Square.

Mr. WOOD. Yes; and the amendment provides that the money shall be expended by the Fine Arts Commission.

The CHAIRMAN. The Chair is of opinion that it changes existing law, and the point of order is sustained.

Mrs. ROGERS. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the lady from Massachusetts.

The Clerk read as follows:

Amendment offered by Mrs. ROGERS: Page 13, after line 22, insert the following: "To prepare plans for specifications and estimates and

to construct the new building for the police court of the District of Columbia, in accordance with the provisions of the act entitled 'An act providing for an additional building for the use of the police court of the District of Columbia,' approved July 3, 1926, \$900,000."

Mr. MADDEN. That is not subject to a point of order. Why was not that offered in the first place? Why did you not play fair with us?

Mr. ZIHLMAN. I did not prepare the amendment. The lady from Massachusetts prepared it. I made the statement on the floor. I hope the gentleman will not question my veracity.

Mrs. ROGERS. Mr. Chairman and Members of the House, I do not believe many of you realize the horrible condition in our District police court, the police court of the District of Columbia. I should not have realized that condition if I had not been there as a witness and if I had not gone there to inspect the conditions. It seems incredible to me that anyone who has been there should not be willing to support this amendment in order to secure a prompt remedy for those conditions. At least, we ought to recommend the beginning of a new building.

Do you realize that in the cells the prisoners are crowded in to the number of 150 or 155? They are so crowded there that in the morning, when they are given their cup of coffee and their sandwich, which is the ration for the entire day, they can scarcely lift their hand with their cup of coffee to their lips.

I know something about the German prison camps, and I do not believe the Germans treated their prisoners, during the World War, as we are allowing the prisoners to be treated in the District courts. It is owing, of course, entirely to the crowded condition. It is not intentional. The people of the District and the courts do not want to be inhuman even to prisoners. You know a good many of these prisoners are found not guilty.

In 1923 the Architect of the Capitol drew plans for a building of three stories and a basement. That building would take care of the activities that are now taken care of in the District police court. It would provide two additional courtrooms and rooms for two additional judges, making a total of six court rooms and would meet the demand for over 40 years. The plan was to erect the building in Judiciary Square, and for obvious reasons it is important to have the police court on Federal land.

I understand that the Fine Arts Commission believes that still another story might be added to this building, which would take care of all the work of the police court for a good many years. There is enough room in Judiciary Square, I am told, to erect this building; and, as you know, it is essential that the police court should be near the Supreme Court.

I have in my hand copy of a letter dated December 9, 1926, from the Commission of Fine Arts:

THE COMMISSION OF FINE ARTS,  
December 9, 1926.

Brig. Gen. HERBERT M. LORD,

Director of the Bureau of the Budget, Washington, D. C.

SIR: The act of Congress approved July 3, 1926, authorized a new building for the police court of the District of Columbia, to be erected on a site to be approved "by the Fine Arts Commission and by the chief justices of said police courts and Supreme Court of the District of Columbia."

At a meeting held December 7, 1926, the location for the Police Court Building was fixed in Judiciary Square, at the southeast corner thereof, near the intersection of Fourth and E Streets, NW.

Respectfully,

Attest:

COMMISSION OF FINE ARTS,  
By CHARLES MOORE, Chairman.

GUS A. SCHULTZ,

Presiding Judge Police Court, District of Columbia.

WALTER I. MCCOY,

Chief Justice Supreme Court, District of Columbia.

I do not want to take up the time of the committee. It is late.

Mr. BLANTON. Will the lady from Massachusetts yield?

Mrs. ROGERS. Yes.

Mr. BLANTON. This provision was approved by the unanimous vote of the Committee on the District of Columbia, and this act was passed in the House without a vote against it. Therefore, why should not the money be provided?

Mrs. ROGERS. It also has the approval of the Director of the Budget. It has the approval of the Fine Arts Commission; it has the approval of Chief Justice McCoy; it has the approval of all the justices, the lawyers, and everyone concerned with the police court, as well as the approval of the citizens' associations. I can not find any objection to it. [Applause.]

The CHAIRMAN. The time of the lady from Massachusetts has expired.

Mr. CRAMTON. Mr. Chairman, we are now passing upon a proposed expenditure of money belonging to the taxpayers of the District of Columbia amounting to \$900,000. It is strictly a business proposition that is before you, and your Committee on Appropriations have attempted to handle the matter in a businesslike way and with due regard to the interest of those who have to pay the money and foot the bills.

There are other sessions of Congress. Six months from now we can act with proper information before us and with a businesslike proposition before us.

My own opposition to action at this time is that the information which came before the Committee on Appropriations demonstrated that a building which would meet with the approval of the Fine Arts Commission, erected on the site that is proposed, which will balance up the existing building for the Court of Appeals on the other side of the square, and that as large a building as can be erected at that point to properly balance up with the other court building will accommodate only four or, at the most, five court rooms. There are to-day four police-court judges. The number is entirely insufficient. There is a request to-day from the district attorney of the District for two more judges, and the clerk of the police court urges additional judges. I say that if this motion carries and you spend \$900,000 for this police-court building under the existing plans and at the place proposed, the very minute you make the appropriation it is insufficient to meet the needs of the court and the situation does not permit of proper expansion thereafter.

Let me substantiate what I say. I am in sympathy with having proper court facilities, but I am not in sympathy with our spending money for a building to the extent of \$900,000 and then when the building is ready for occupancy find it is already insufficient for the things for which it was built and that it can not be enlarged without running up against the Fine Arts Commission. I will refer to page 460 of the hearings. The gentleman then before the committee, Mr. Roy L. Humphrey, representing the police court. Mr. Wood said:

You have five courts now, have you not?

Mr. HUMPHREY. We have four courts.

Then a little farther down Major Atkins, who is assistant to the engineer commissioner, said:

The plans call for only five court rooms because of the limitation as to the size of a building that could be erected on that square, to balance the Court of Appeals Building. It could not be materially larger than the present Court of Appeals Building, and that size building will provide for five court rooms and not for six court rooms of a satisfactory size.

A little farther on in the hearings you will find a memorandum, put in at our request, in which it is stated, on page 466:

There should be four courts approximately 47 by 57 feet and two courts approximately 30 by 40 feet.

Mrs. ROGERS. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mrs. ROGERS. The gentleman knows that in the plans prepared by Mr. Lynn there was provision made for six court rooms, and there is plenty of space in Judiciary Square for a building of three stories, with a basement, having a ground area of 24,120 square feet and which building would contain the necessary six court rooms, in addition to space for all the other activities of the police court.

Mr. CRAMTON. Let me suggest to the lady from Massachusetts that the law provides that these plans shall be approved by the Fine Arts Commission. In accordance with the law certain estimates and certain plans came before our committee, and those were the plans and the estimates that we had to consider, and the official statements made before our committee were to the effect that five court rooms were all that could be accommodated in a building which the Fine Arts Commission would hold was proper in that location.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for three additional minutes. Is there objection?

There was no objection.

Mr. CRAMTON. As to the situation in the police court—and I am trying to be as condensed in this statement as I can—at page 689 of the hearing there is a letter to me from the United States attorney, because I have been making some study of the



police-court situation, not only because of the fact that these folks who are arrested have to spend time in congested quarters for a few minutes on Monday morning, but the fact that malefactors and offenders are arrested time after time and never punished, because there are not enough judges to hold the jury trials and reach their cases. When we act on this question I want the situation fully taken care of. Let me read just one sentence from the statement of the United States attorney:

I am suggesting to the Attorney General that he recommend legislation to provide two more judges for the police court—

And so forth.

On page 694 there is a statement from Mr. Sebring, a clerk of the court—

We really require the services of additional judges.

This statement was made emphatic in that his letter shows on the face of it that he first wrote "an additional judge," which would make five judges, but that was erased and the words "additional judges" put in instead.

Now, it may be that a building could be placed there that would accommodate reasonably the present needs of the court and take care of the growth hereafter, but I say we have the right in the Committee on Appropriations, and you have the right here in the Congress, to have plans carefully worked out and definitely determined as a business proposition. So our committee felt that this was a matter that very well can go over for consideration at the next session of Congress. It does not involve any very great delay, but it would be a serious thing to spend \$900,000 for a building at this place and then find it is not large enough to take care of the present needs, to say nothing of a reasonable advance for a period of years to come.

Mrs. ROGERS. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mrs. ROGERS. Would a letter from the Fine Arts Commission make any difference in the gentleman's opinion as to the facts in this matter?

Mr. CRAMTON. If the Fine Arts Commission had anything to place before our committee that was of value, and not a half-trigger opinion, it should have been placed before our committee when we were holding hearings. We asked for information. We went to the officials of the District who were supporting the item and we asked them to put further information in the hearings. They could have put in all the letters they wanted from the Fine Arts Commission, and I figure it is mighty late now, when the matter is here on the floor, proposing \$900,000 additional, to ask us now to give much consideration to such a communication.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the distinguished gentlewoman from Massachusetts [Mrs. ROGERS] is offering here something constructive, something that is needed; and the gentleman from Michigan [Mr. CRAMTON] is not, but is proposing to this Congress that it adjourn March 4, stay away from here until next December, and leave these people here helpless and in a terrible situation.

The gentleman from Michigan [Mr. CRAMTON] says he is thinking of the people of Washington who have to pay the bill. He did not tell you that the people of Washington have approved of this bill. All of the organizations of Washington have approved of this bill. The board of trade has approved of it. The chamber of commerce has approved of it. The citizens associations all over this city have approved of it. The four judges of the police court have approved of it. The judges of the Supreme Court of the District of Columbia have approved of it. Everybody has approved of it except the gentleman from Michigan [Mr. CRAMTON] and his committee.

The distinguished lady has told you about the situation. The District of Columbia Committee appointed a subcommittee to look into this proposition. I happened to be a member of the subcommittee that went down there and investigated this terrible situation in this court. We found there a little room that ought to hold about 15 people, one morning with 71 people crowded into it awaiting trial, and another room with 64 people crowded into it, white men and black men, huddled up together with not even a place to sit down. They are held there all day long with not a single thing to eat until they are carried back at night to the city jail.

Is this humane treatment which this Congress wants to adjourn and leave without doing anything for the people of Washington, with no redress and no chance to improve the situation?

Everything has been done orderly in this matter. Your District of Columbia Committee investigated the matter. It sent its subcommittee to report on the conditions.

The committee held hearings and it passed this measure by unanimous vote of its 21 members in the committee; not one

vote against it. The committee granted the legislation that authorizes the appropriation of this money. Why should we disagree now, why should we not give the people what they are entitled to? The gentleman says we can not furnish an adequate police court with the facilities they need for \$900,000.

Mr. CRAMTON. If the gentleman will yield, I have not said that. I said with the plans before us.

Mr. BLANTON. We are going to have different plans, adequate plans, if you will furnish the money. They are going to be passed upon by the proper authorities, with Chief Justice McCoy, head of the supreme court, and Judge Schultz, head of the police court, and other authorities agreeing.

If you will but give them the money—and it is the people's money—so why not give them what they want. You do not see any newspaper here fighting this; you do not see any civic organization here fighting this; you find only the gentleman from Michigan [Mr. CRAMTON] here and the gentleman from Indiana [Mr. WOOD] who was the one who was trying to hamstring the proposition and denying his colleague [Mrs. ROGERS] the needed money which she was seeking to get for the people of the District of Columbia to relieve a terrible situation.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. COLLINS. Mr. Chairman, the subcommittee of the Appropriations Committee on the District had this matter under consideration, and had the same desire as the distinguished lady from Massachusetts to supply adequate courthouse facilities for the District, but the trouble we experienced was this: No one person knew what was necessary to be done under the circumstances. Certain organizations, including the board of trade, the chamber of commerce, the bar association, and so on, appointed a committee of lawyers for the purpose of determining some plan to remedy the congestion at the police court. The plan formulated by this commission recommended the merging of the municipal court and the police court into one court, and they thought without the addition of another judge they could take care of it and could relieve the congestion. If the situation could be relieved in that way, then they wanted a courthouse adequate to take care of eight or more judges instead of four.

A member of this commission appeared before the subcommittee on appropriations for the District, a Mr. Offutt. He was a secretary of this committee.

He testified as follows (p. 800 of the hearings) with regard to conditions:

We found that it was twofold: In the first place, there was a physical congestion due to many small cases which really had no business there. In the second place, there was a very bad situation because of the fact that jury trials were not conducted as they should be in order to promote justice. We found that they were upwards of 1,000 cases behind in the jury system. Now, we recommended a more extensive use of the collateral system for the smaller offenses, which, of course, would relieve some of the congestion. That would be a system somewhat similar to the one now used in Chicago and Detroit. And it has worked out very satisfactorily there.

With regard to the other situation which is by far the more serious problem, we recommend a fusion of the present municipal court with the present police court.

Then he says further:

If, for example, a strong presiding judge could be selected only for the present emergency so as to direct the efforts of all eight other men, that would mean that he could take three, four, and, possibly, five of them and concentrate their work to cleaning up this present avalanche of jury trials; and at the same time keep up the work of the other two courts as they are now kept up, etc.

And he thought all could be done without additional funds, for he said:

All I wanted to present was this: Instead of asking for an appropriation—you have a bad condition to clear up—instead of asking for an appropriation, this is the one way out of it without an appropriation.

He wound up with his statement as follows, page 802:

That is just the reason why I appear this morning. I thought that an appropriation of that kind would be practically useless, and I do not believe it would clear up the situation. Very frankly, I believe you could appoint two more police-court judges, but I do not believe that you would get very much relief from that.

In other words, the situation is this: There are those who want a consolidation of the municipal and police courts, and if this is done we would have to have a much larger building than that sought for here. Others believe that we ought to have additional police-court judges, and if that is adopted, we would

still have to have a larger building. So in any case the building proposed in the amendment would be inadequate.

Now, gentlemen of the committee, in addition to this, I have just learned that a bill was reported to the Senate to-day, or perhaps passed by the Senate to-day, that provides for a police-court building and the purchase of a site elsewhere than on Judiciary Square for the location of a police-court building. So we have three different situations and we do not know which will be adopted.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. COLLINS. In this jumble of theories we can not intelligently act upon this subject to-day. I submit, therefore, that this appropriation could well wait until the December session of Congress.

The CHAIRMAN. The question is on the amendment offered by the lady from Massachusetts.

The question was taken; and on a division (demanded by Mrs. ROGERS) there were—ayes 34, noes 57.

So the amendment was rejected.

Mrs. ROGERS. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 13, line 22, insert a new paragraph, as follows:

"For the preparation of plans for a new building for the police court of the District of Columbia, in accordance with the provisions of the act entitled 'An act providing for an additional building for the use of the police court of the District of Columbia,' approved July 3, 1926, \$5,000: *Provided*, That the cost of any such building erected shall not exceed \$900,000."

Mrs. ROGERS. Mr. Chairman, I wonder if the gentleman from Indiana will be willing to accept this amendment. It merely provides for plans for the police court building, and it would mean a year's start, I think, in getting the preparations for the building under way.

Mr. WOOD. Mr. Chairman, I submit that this is absolutely impracticable. It would be useless and a waste of time and money to adopt plans until we have some place to locate this building. Everything depends upon the location of the building.

Mrs. ROGERS. I have a letter here from the Fine Arts Commission, saying that there is adequate space in Judiciary Square. It is dated to-day. It reads:

THE COMMISSION OF FINE ARTS,  
Washington, February 25, 1927.

Hon. EDITH NOURSE ROGERS,  
House of Representatives, Washington, D. C.

DEAR MRS. ROGERS: In reply to your inquiry, I have to inform you that after an examination of Judiciary Square, and also of building plans prepared in the office of the Architect of the Capitol, and after consultations with Chief Justice McCoy, of the Supreme Court of the District of Columbia, and the justices of the police court, the members of the Commission of Fine Arts were convinced that a building adequate to the needs of the police court, as stated by the justices, could be located and constructed near the corner of Fourth and E Streets, so as to form a component part of the group of court buildings now in that square.

Very respectfully yours,

CHARLES MOORE, *Chairman*.

I have a letter also from Mr. Humphrey, the clerk of the police court, who talked with the Fine Arts Commission at my request:

CLERK'S OFFICE, POLICE COURT OF THE DISTRICT OF COLUMBIA,  
Washington, D. C., February 24, 1927.

Hon. EDITH NOURSE ROGERS,  
House of Representatives, Washington, D. C.

MY DEAR MRS. ROGERS: Attached hereto is a rough sketch which I used in a conference I had with Mr. H. P. Caemmerer, of the Fine Arts Commission. At this conference I called attention to the fact that the five courtrooms as indicated on the sketch would not be adequate for 20 years, and that in order to compress the building within the square area called for by this sketch we should add another floor.

He was of the opinion that another story could be added if we could keep the building within a height which would not interfere with the sky line of the Court of Appeals Building and instructed me to find out the height of the court of appeals. This I did, as is shown by the attached letter, and in a conversation had with him by 'phone, he agreed that this three and one-half story building, with a height of 70 feet, would be satisfactory.

Such a conference as this was never had with the municipal architect of the District of Columbia, who also drew a sketch and presented it to the House Committee on Appropriations.

The sketch which we submitted to the Fine Arts Commission would call for a ground area of 18,125 square feet; would be on a building line with the court of appeals, would not be quite as deep as the court of appeals, and would only remove about six of the fine old trees which are in the park. This building would have a utility of at least 40 years if it consisted of a basement level, a subbasement level, and three stories.

The sophistry of the argument that there is not enough room on this site to expand, it is submitted that in 1923 Mr. Lynn, the Architect of the Capitol, was called upon to prepare plans for a municipal court and recorder of deeds building on this site. Congress did not approve of the project after plans were drawn. The plans prepared by Mr. Lynn (which are attached) call for a ground area of 24,120 square feet, and consist of a ground and basement floor with three and one-half floors above the street level, as is shown by the attached sketch.

This building would have taken from the park 5,995 square feet more than the tentative building for the police court which we have visualized, and it is further noticeable that this building designed by Mr. Lynn includes six courtrooms, as well as space for the recorder of deeds. These court rooms are smaller than the court rooms required by the police court, but the allowance which is made for the recorder of deeds would more than compensate for the space we might need many years hence.

ROY L. HUMPHREY, *Chief Deputy Clerk*.

This letter states that the Fine Arts Commission believes that a building could be erected with an additional half story which would take care of the needs of the District for over 40 years. This would authorize only the preparation of plans for the police-court building.

Mr. WOOD. One of the greatest difficulties we have is the Fine Arts Commission. If we could get the Fine Arts Commission to correlate its aesthetic ideals with reference to practical ideals, there would be very much improvement of the whole matter.

Mrs. ROGERS. I feel, from this letter, that they will be willing to do that.

The CHAIRMAN. The question is on the amendment offered by the lady from Massachusetts.

The question was taken; and there were on a division (demanded by Mrs. ROGERS)—ayes 22, noes 51.

So the amendment was rejected.

The Clerk read as follows:

Supreme Court, District of Columbia: For the additional amount required for the compensation of the chief justice and five associate justices in accordance with the act approved December 13, 1926, fiscal year 1927, \$7,500.

Mr. WOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GREEN of Iowa, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 17291, and had come to no resolution thereon.

#### CONFERENCE REPORT—DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. SIMMONS. Mr. Speaker, I present a conference report upon the bill (H. R. 16800) making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District, for the fiscal year ending June 30, 1928, and for other purposes, for printing under the rule.

#### ESTATE OF WILLIAM BARDEL

Mr. TILSON. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill (H. R. 3283) for the relief of the estate of William Bardel the Clerk of the House be permitted to change the spelling of the word "counsel," in line 8 of the bill, to "consul." As the bill was originally introduced it was correctly spelled, but in the report print of the bill it was spelled erroneously.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, I reserve the right to object to ask the gentleman a question. It being necessary in the House before the bill is passed to make those corrections, is this a proper proceeding to have the Clerk of the House correct this by unanimous consent? Would it not be safer practice to vacate the proceedings and repass the bill? This could be a very serious question. If you can correct the spelling, you can change some serious, substantial provision by unanimous consent. As a matter of precaution, would it not be better to vacate the proceedings and repass the bill?



Mr. TILSON. It does not seem to me that that is necessary. It can be done by unanimous consent.

Mr. BLANTON. This might establish a precedent in the future which would warrant a change in a bill in some substantial way.

Mr. CHINDBLOM. There are many precedents for this procedure.

Mr. BLANTON. I merely put that up as a suggestion to the majority leader.

Mr. CHINDBLOM. The bill has not yet been engrossed. The gentleman will find many precedents to the effect that by unanimous consent changes may be made in the engrossment.

Mr. BLANTON. Since I have been here every single change in a bill that has been passed has been under a unanimous-consent agreement to vacate the proceedings and repass the bill.

Mr. CHINDBLOM. I have been here during eight years of the gentleman's time, and I recall several instances the other way.

Mr. BLANTON. I could give the gentleman one instance. The gentleman from Wisconsin, Mr. Stafford, raised the point, and the gentleman from Illinois, Mr. Mann, raised the identical point, and the House vacated the proceedings and repassed the bill.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut to permit the Clerk of the House to make the change in the spelling of the word?

There was no objection.

#### RESIGNATION OF A MEMBER FROM A COMMITTEE

The SPEAKER laid before the House the following communication:

FEBRUARY 23, 1927.

Hon. NICHOLAS LONGWORTH,

*Speaker House of Representatives, The Capitol.*

DEAR MR. SPEAKER: I herewith tender my resignation as a member of the Indian Affairs Committee of the House, and also of the Flood Control Committee, to which I was appointed at the beginning of the session. I have no Indian or flood-control problems in my district, yet I faithfully tried to disclose conditions discovered among many Indian reservations that at my own expense I visited last summer. Also appeared before a Senate committee that has the same subject under consideration, and having performed my full duty, I believe it just to the committee and myself to advise you at this time of my resignation.

Very sincerely,

JAMES A. FREAR.

The SPEAKER. Without objection the resignation will be accepted.

There was no objection.

#### ORDER OF BUSINESS

Mr. TILSON. Mr. Speaker, I ask unanimous consent that on Monday next it may be in order for the Speaker to direct the calling of the Consent Calendar.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that on Monday next it may be in order for the Speaker to direct the calling of the Consent Calendar. Is there objection?

Mr. CRAMTON. Reserving the right to object, I suppose that would be with all the rules that attend the calling of the Consent Calendar on such date?

Mr. TILSON. Except that it would not make it suspension day. It is already suspension day under the rules, but it would make it in order for the Speaker to direct the calling of the Consent Calendar. Everything else would be under the rules of a Consent Calendar day.

Mr. CHINDBLOM. Reserving the right to object, suspension days prior to the adjournment of the session begin to-morrow?

Mr. TILSON. To-day. This is the first suspension day. It is the last six days of the session.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, I want to ask the gentleman a question. Bills that should be considered in the Committee of the Whole House on the state of the Union—they would have to be taken up in the House—

Mr. TILSON. It is under the Consent Calendar rules.

Mr. BLANTON. But bills that should go to the Committee of the Whole House would still go there?

Mr. TILSON. It does not change bills on the calendar at all, but simply allows the Consent Calendar to be called under the rule that governs the Consent Calendar.

Mr. GARNER of Texas. Like unanimous consent.

Mr. TILSON. Just the same as the regular Consent Calendar days, the first and third Mondays of each month.

Mr. SABATH. And bills will come up in the regular way as they appear on the calendar?

Mr. TILSON. The Speaker is simply authorized to direct the call of the Consent Calendar.

Mr. KVALE. I desire to ask the gentleman from Connecticut what is the prospect of enacting legislation affecting the lame-duck session of Congress?

Mr. TILSON. I can not tell the gentleman; it is pretty late in the session.

Mr. KVALE. It is always pretty late for that legislation.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut? [After a pause.] The Chair hears none.

Mr. TILSON. Mr. Speaker, I further request that beginning next Monday the sessions of the House begin at 11 o'clock a. m.

The SPEAKER. The gentleman from Connecticut requests that beginning next Monday the sessions of the House during the remainder of the session shall begin at 11 o'clock a. m. Is there objection?

Mr. BLANTON. Mr. Speaker, is there any necessity for that? We have been working pretty hard and probably will have a night session or two next week. Until we meet this emergency, why fix a definite hour for a whole week until an emergency arises? I do not like to interfere—

SEVERAL MEMBERS. Regular order!

Mr. BLANTON. I object.

Mr. TILSON. I have submitted my request.

Mr. BLANTON. I object.

The SPEAKER. Objection is heard.

#### UNITED STATES GRAIN GRADING ACT FAVORS THE MILLERS

Mr. WEFALD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. WEFALD. Mr. Speaker, in the debates on the farm relief measures that have from time to time come before Congress much has been said against such measures as the Haugen bill, to the effect that if such a measure should become law it would militate against the best interests of the growers of hard wheat, because now such wheat brings a premium, due to its high milling value, and if the Haugen bill should become law the wheat of the Northwest would be placed on a parity with other and inferior wheat.

Any well-informed person knows that such would not be the case, because the growers of hard wheat, due to the grain-grading rules, do not now get the full value of their wheat based upon the milling value. In proof of this statement I herewith submit a joint resolution just passed by the Minnesota Legislature.

This resolution asks repeal of the grain standards act "as early a date as it is possible." That can, of course, not be in this session of Congress, now in the throes of adjourning, but I submit the resolution as worthy of the most serious consideration.

A concurrent resolution relating to the repeal of the United States grain standards act

Whereas under the provisions of the so-called grain standards act the Secretary of Agriculture was authorized and directed to promulgate and establish rules for the grading of grain, and under this authority such rules were promulgated and established; and

Whereas under the rules so established it has been impossible for producers and operators of elevators in the country to properly grade grain to meet the requirements of such rules and to have the grade so fixed maintained at the terminal points because of the many and unnecessary technicalities in the rules; and

Whereas it is a well-known fact that the grading rules for wheat were never based upon the milling value of that commodity, resulting in wheat of high milling value being sold at a low price, thereby providing a direct monetary benefit to the millers and a consequently large monetary loss to the producers; and

Whereas the people of this State engaged in agriculture have never been able to secure any modification of these grain grades, or any assistance from the Federal Department of Agriculture: Therefore it is

*Resolved by the house of representatives (the senate concurring), That the Congress of the United States now in session be requested to repeal the said grain standards act at as early a date as it is possible; be it further*

*Resolved, That the secretary of state of the State of Minnesota be instructed to send a copy of this resolution to the President of the*

United States, to the Secretary of Agriculture of the United States, and to each Member of the United States Senate and to each Congressman of the State of Minnesota.

JOHN A. JOHNSON,  
*Speaker of the House of Representatives.*  
W. I. NOLAN,  
*President of the Senate.*

Passed the house of representatives the 18th day of February, 1927.

JOHN I. LEVIN,  
*Chief Clerk, House of Representatives.*  
Passed the senate the 19th day of February, 1927.

GEO. W. PEACHEY,  
*Secretary of the Senate.*  
Approved, February 23, 1927.

THEODORE CHRISTIANSON, *Governor.*  
Filed, February 23, 1927.

MIKE HOLM, *Secretary of State.*

I, Mike Holm, secretary of state of the State of Minnesota, and keeper of the great seal, do hereby certify that the above is a true and correct copy of the resolution filed in my office February 23, 1927.

[SEAL.]

MIKE HOLM, *Secretary of State.*

#### SEA ISLAND COTTON—BOULDER DAM

Mr. EDWARDS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a clipping from the Atlanta Journal concerning the sea-isle cotton industry, and also an editorial on the Boulder dam from the New York Sun.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. EDWARDS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

[From the Atlanta Journal]

#### UNITED STATES AID PROPOSED IN RESUMPTION OF LONG-STAPLE CROP

By Harilee Branch, staff correspondent of the Journal

WASHINGTON, D. C., February 22.—With a view to reestablishing the sea-island cotton industry in Georgia and other sections of the South where it flourished a few years ago, Congressman EDWARDS, of the first Georgia district, Monday afternoon introduced a bill in the House providing an appropriation of \$250,000 to acquire sea-island cottonseed and promote the growing of the long staple again.

Congressman EDWARDS's bill, which was very short, and which was referred to the House Committee on Agriculture, after the usual preamble, is as follows: "That there is hereby authorized an appropriation of \$250,000 with which the Secretary of Agriculture is to acquire by purchase, importation, or otherwise, a sufficient supply of sea-island long-staple cottonseed with which to furnish planters, in order that the growing of this important crop may be again undertaken in the sections of United States where it can be grown successfully. The said seed to be distributed under such regulations and upon such terms as may be prescribed and fixed by the Secretary of Agriculture."

Commenting on his bill, Congressman EDWARDS said: "Only a few years ago the growing of sea-island long-staple cotton was a great and profitable industry in our section. Now, it is impossible to get seed to plant."

"The Japs came over here, got the seed from us, and to-day they have a monopoly in growing sea-island cotton. The Agricultural Department is slow in helping in this important matter. The Government must help because it will mean much to a great section of the country. Many people request the seed and it is impossible to get it."

Less than a generation ago great quantities of sea-island or long-staple cotton was grown on the islands off the Georgia coast and in Bulloch, Lowndes, and several other Georgia counties. It brought a very high price compared to short-staple cotton.

Gradually the industry ceased to be profitable and practically no sea-island cotton is now grown in Georgia or the islands off the Georgia coast.

[Editorial from the New York Sun, February 23, 1927]

#### THE SOUTH IN PROTEST

The western backers of the Boulder Canyon dam scheme have carefully refrained from saying anything about the effect of that costly project on cotton. The favorable report on the dam made by Senator HIRAM JOHNSON, of California, tells how the irrigation of the desert below Boulder Canyon would result in the production of lettuce, asparagus, tomatoes, and other garden truck. The products of the region, he says, "are not seriously in competition with other parts of the United States." One Alabama newspaper, having learned that a large quantity of cotton of high quality has already been cheaply produced in the Imperial Valley, where the boll weevil biteth not, utters a vigorous protest:

"Boulder dam would give the present and potential cotton growers of the Imperial Valley country a marked advantage over the cotton growers of the South.

"It will take \$125,000,000 to give California cotton growers this advantage; nor do they propose to use their own money. They ask nothing less than that the United States Government shall shoulder the immense cost, since it is not feasible for the beneficiaries of the dam to undertake to finance it.

"California thus demands that the cotton growers of the South shall be taxed to pay the cost of cutting their own throats!"

This discovery may have its effect on southern Senators who have hitherto been regarded as willing to logroll for their western colleagues. Of course, the Johnson-Swing bill ought to be beaten, because it is an attempt to put the Government in the power business in a region where plenty of power is now produced by private enterprise. To learn that it will add to the overproduction of cotton is merely to learn one of its new sides.

#### FARM RELIEF LEGISLATION

Mr. LANKFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on farm-relief legislation.

Mr. UPSHAW. There ain't no such animal. [Laughter.]

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANKFORD. Mr. Speaker, during the last few days the editor of the Savannah Morning News has thrice "extended his remarks" in connection with the problems of the farmer and thus has further "distended" his opposition to all worthwhile farm-relief proposals and more especially to all moves to help the farmer get a better price for his products. The editor evidently still fears that a better price for cotton, tobacco, and other farm products would cause foreign competition and domestic overproduction.

Speaking of band wagons—such a thing does not appeal at all to the editor. He would rather ride on the front seat of the steam roller of the profiteers and the middlemen, which is crushing out the lives of the farmers. He is muchly concerned about my efforts to secure legislation assuring the farmers a fair minimum price for their products. He says let the farmers diversify. He is admittedly a recipient of special favors from the Government. Why not let him take his hand out of the public treasury and "diversify" some?

The editor evidently favors no farm relief bill. I have urged him to tell which one he favors, and why. He has refused to answer, thereby admitting that he does not favor any of the pending farm-relief measures. Maybe there has not as yet been introduced a so-called farm-relief measure bad enough for him.

The editor quotes me correctly as saying—

The equalization fee of the McNary-Haugen bill is not at all sufficiently bad to make the bill worse than the Crisp-Curtis bill.

If the editor is aching for an argument on the farm-relief question, why does he not argue this proposition, or does he wish to admit by his silence the correctness of my assertion? I may be mistaken sometimes in my position. I am only human. I will, however, gladly contend for my position on the farm-relief problem with anybody, anyway, anywhere, and any time. If I am wrong in my assertion that the McNary-Haugen bill is preferable to the Crisp-Curtis bill, let the editor argue to the contrary. He has my argument in part in support of my contention in the remarks from which he quoted. If I am right, why should he quote only a few disconnected sentences from my remarks in an apparent effort to mislead the public? If I am wrong, why does he not print the whole remarks and show their fallacy? I would gladly argue the issue with the editor. I never was more sure of my position in any matter. Come on, Mr. Editor, let us go. The country can judge as to who is right.

The editor of the Savannah Morning News, writing editorially about the President's message which accompanied his veto of the McNary-Haugen bill, among other things, said:

At any rate, the President gives a very good reason, founded deep in economics, for declining to approve it. Regardless of whether he wins or loses votes by his decision, he decided rightly.

Let us see about this. The President and his party favor special privileges and favors, in the way of tariff and otherwise, in behalf of the manufacturers and the corporate interests, and yet the President objects to special favors in behalf of the growers of tobacco and cotton. Speaking of the McNary-Haugen bill, the President said the farmers mentioned therein—

are to be given special favors—

And—

the bill upholds as ideals of American farming the men who grow cotton, corn, rice, swine, tobacco, or wheat and nothing else.



Again the President says:

The bill singles out a few products, chiefly sectional, and proposes to raise the prices of those regardless of the fact that thousands of other farmers would be directly penalized.

The editor of the Savannah Morning News, objecting to special favors for the farmers, says the President's veto is "founded deep in economics," and "he decided rightly."

The President favors fixing high minimum prices for everything the farmer buys and yet objects to price fixing in behalf of the farmers. In objecting to the bill on account of its price-fixing features, the President says:

Clearly this legislation involves governmental fixing of prices. It gives the proposed Federal Board almost unlimited authority to fix prices on the designated commodities. \* \* \* Except as it may be restrained by fear of foreign importations, the farm board, composed of representatives of producers is given the power to fix the prices of these necessities of life at any point it sees fit. \* \* \* This bill if it accomplishes its purpose will raise the price of the specified agricultural commodities to the highest possible point, and in doing so the board will operate without any restraint imposed by the antitrust laws.

The editor of the Savannah Morning News, opposing the fixing of a reasonable price for farm products, approves the veto of the President for these reasons, and says his veto is "founded deep in economics," and "he decided rightly."

The farmers and consumers of the Nation are paying taxes not for purposes of revenue, but to enrich the already immensely rich; and to-day the farmers are distressed, poverty stricken, and suffering the agonies of death because of this very tax for the favored few; and yet the President vetoes the McNary-Haugen bill because there is possible, under its terms, an indirect tax for the benefit of the farmers. The President says:

This so-called equalization fee is not a tax for the purposes of revenue in the accepted sense. It is a tax for the special benefit of particular groups.

The editor of the Savannah Morning News approves the President's position and says his reasoning is "founded deep in economics" and that "he decided rightly."

Almost the same day the President turned down the farm bill he approved the McFadden banking bill, sponsored by the banks of the country, and acting under the flexible provisions of the tariff law raised the duty on pig iron 50 per cent in behalf of the multimillionaire steel magnates of the Nation, thus putting additional burdens on the consuming public and suffering farmers. And still, in spite of the President's inconsistent position, the editor of the Savannah Morning News says his veto is "founded deep in economics" and "he decided rightly."

On every hand and for every imaginable purpose there are bureaus to harass the people and make spoils of the rights of the citizens of the country—all approved by the President. Bureaus determine that Georgia is not to get a square deal in the matter of public buildings, and Savannah and other cities of the State are to suffer. Bureaus and rank discrimination through bureaus give all the great navy yards, hospitals, and other Federal improvements to the North and East as against the South. Bureaus fix prices of everything the farmer buys, the freight he pays, and of his every necessity; and yet there is no bureau or means which fixes at a reasonable price the commodities which he produces. And yet when a bureau is sought to be set up in behalf of the farmers, composed of farmers, to help the farmers get a reasonable price for their products, the President objects, and says:

We must be careful in trying to help the farmer not to jeopardize the whole agricultural industry by subjecting it to the tyranny of bureaucratic regulation and control.

The President is not afraid of all sort of bureaucratic regulations and control made up and composed of enemies of the farmer and for the purpose of exploiting the farmer, but he is very much concerned when there is sought to be set up in behalf of the farmer a bureau to be composed of farmers or their friends and with authority to help the farmers get a better price for their products. The editor of the Savannah Morning News chimes in and says the President's veto is "founded deep in economics" and "he decided rightly."

The President typically represents the New England manufacturer's idea of farm legislation. He sees the matter from the standpoint of the profiteer and the middleman of his section, and in his veto message said:

But aside from all this, no man can foresee what the effect on our economic life will be of disrupting the long-established and delicately adjusted channels of commerce.

The President, of course, has in mind the middlemen and profiteers when he speaks of "delicately adjusted channels of commerce." The farmers and consumers are not parts of the channels of commerce. The farmer puts his products into the channels of commerce and the consumers take the products out. The President, of course, is solicitous of the middlemen and the profiteers who make unconscionable profits out of the products of the farmer when he objects to "disrupting the long-established and delicately adjusted channels of commerce."

The editor of the Savannah Morning News is concerned and solicitous about the same gang when he approves the President's action and says his decision is "founded deep in economics" and "he decided rightly."

Mr. Speaker, to my mind it is impossible to work out a worth-while farm-relief measure without eliminating the profits of useless and unnecessary middlemen. I know that some middlemen are necessary in the getting of the products of the farmer to the consumer, but no one should be allowed a profit as a middleman unless his services are absolutely essential and he receives only fair compensation for the services rendered. It is remarkable how well the proponents of the middleman and profiteer can apparently object to any worth-while legislation in behalf of the farmer which endangers the profiteers and their methods of exploiting the farmer.

Like all other opponents of farm-relief legislation, the editor is apparently worried about "the constitutionality," "the fairness," "the justice," "the price-fixing features," "the discriminatory provisions," "the interruption of channels of trade," "the expense to consumers," "the cost of the Government," "the danger of class legislation," "the delegation of power to tax," "the invasion of the Executive's right to appoint," "the extra cost to the manufacturers," "the economic unsoundness," "the menace of the overproduction at home," "the bugaboo of foreign competition," "the special benefits flowing and to flow to the producers of cotton and tobacco as against other farmers," and so on, and so on, of farm-relief proposals. It is indeed remarkable that the people who make these stock arguments against farm-relief legislation never urge them nor any of them against proposals for the manufacturers, railroads, banks, corporations, or other special favorites of the avowed enemies of farm-relief legislation.

The editor is just now much exercised about the equalization molehill which the farmers might pay in part to maintain a fund to be used to help them get better prices for their products. The editor does not appear to be at all concerned about the mountains of profit and commissions that are paid daily to middlemen, commissionmen, profiteers, gamblers, and plunderers who get most of what the farmers produce.

The editor evidently believes in the ratio of 16 to 1. He would let the farmer get 1 share of the profits from his farm while the profiteers get 16 shares, and even more, as is oftentimes the case.

But why pursue the matter further? The editor will still be opposed to my desire to help the farmers get a fair minimum price for his products, and I know I will still be opposed to his insistence that no legislation should be enacted to help the farmers get a better price for their products.

There are two classes of people whom I have never cared to argue with. One is the fellow who believes there is no God, and the other is the man who feels that the farmers are only dumb, driven cattle, for slaughter at the behest of the profiteers of the Nation.

I hope the editor is not yet beyond redemption on the farm-relief question.

While the lamp holds out to burn,  
The vilest sinner may return.

Let us hope the editor may yet see the light; and if he will not, then let us not let him mislead those who, having eyes, want to see the truth.

#### ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled House and Senate bills of the following titles, when the Speaker signed the same:

H. R. 14831. An act to amend section 107 of the Judicial Code;  
H. R. 15822. An act authorizing the county of Escambia, Fla., and/or the county of Baldwin, Ala., and/or the State of Florida, and/or the State of Alabama, to acquire all the rights and privileges granted to the Perdido Bay Bridge & Ferry Co., by chapter 168, approved June 22, 1916, for the construction of a bridge across Perdido Bay from Lillian, Ala., to Cummings Point, Fla.;

H. R. 16024. An act to amend the act entitled "An act granting the consent of Congress to the Yell and Pope County Bridge district, Dardanelle, and Russellville, Ark., to construct, maintain, and operate a bridge across the Arkansas River, at or near the city of Dardanelle, Yell County, Ark.," approved March 3, 1925, and to extend the time for the construction of the bridge authorized thereby;

H. R. 16104. An act to amend the act entitled "An act granting the consent of Congress to the county of Barry, State of Missouri, to construct a bridge across the White River," approved March 31, 1926;

H. R. 16105. An act to amend the act entitled "An act granting the consent of Congress to the county of Barry, State of Missouri, to construct a bridge across the White River," approved March 31, 1926;

H. R. 16116. An act granting the consent of Congress to the Henderson Bridge Co., its successors and assigns, to construct, purchase or lease, maintain, and operate a bridge across the Kanawha River at or near the town of Henderson, W. Va., to a point opposite thereto in or near the city of Point Pleasant, W. Va.;

H. R. 16165. An act granting the consent of Congress to the commissioners of the county of Cook, State of Illinois, to reconstruct the bridge across the Grand Calumet River at Burnham Avenue in said county and State;

H. R. 16649. An act to extend the time for construction of a bridge across the Susquehanna River, in Northumberland and Snyder Counties, State of Pennsylvania;

H. R. 16773. An act to amend an act entitled "An act authorizing the construction of a bridge across the Ohio River between the municipalities of Rochester and Monaca, Beaver County, Pa.,"

H. R. 16778. An act to extend the time for the construction of a bridge across the Mississippi River at Alton, Ill., and across the Missouri River near Bellefontaine, in Missouri;

H. R. 16887. An act granting the consent of Congress to George A. Hero and Allen S. Hackett, their successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River;

H. R. 16954. An act granting the consent of Congress to the city of Blair, in the State of Nebraska, its successors and assigns, to construct, maintain, and operate a free highway bridge and approaches thereto across the Missouri River between the States of Nebraska and Iowa;

H. R. 16971. An act granting the consent of Congress to the South Carolina and Georgia State highway departments, their successors and assigns, to construct, maintain, and operate a bridge across the Savannah River.

H. R. 17131. An act granting the consent of Congress to W. Gilbert Freeman, his successors and assigns, to construct, maintain, and operate a bridge across the St. Lawrence River near Alexandria Bay, N. Y.

H. R. 17181. An act to extend the time for constructing a bridge across the Rainy River, approximately midway between the village of Spooner, in the county of Lake of the Woods, State of Minnesota, and the village of Rainy River, Province of Ontario, Canada.

S. 95. An act for the relief of Carlos Tompkins;

S. 190. An act for the relief of Samuel S. Archer;

S. 467. An act for the relief of Joseph B. Tanner;

S. 521. An act for the relief of August Michalchuk;

S. 1261. An act for the relief of William H. Grayson;

S. 1413. An act for the relief of Eustacio B. Davison;

S. 1641. An act for the relief of Mary H. Dougherty;

S. 1787. An act for the return of \$5,000 to the New Amsterdam Casualty Co.;

S. 1859. An act for the relief of Patrick C. Wilkes, alias Clebourn P. Wilkes;

S. 2094. An act for the relief of C. P. Dryden;

S. 2139. An act for the relief of William W. Green, warrant officer, United States Army;

S. 2242. An act for the relief of Mark J. White;

S. 2700. An act to amend the naval record of Frank H. Wilson, alias Henry Wencel;

S. 2722. An act for the relief of the Muscle Shoals, Birmingham & Pensacola Railroad Co., the successor in interest of the receiver of the Gulf, Florida & Alabama Railway Co.;

S. 3110. An act to authorize certain officers of the United States Navy to accept from the Republic of Haiti the Medal of Honor and Merit;

S. 3464. An act authorizing certain officers of the United States Navy to accept from the Republic of Chile the Order Al Merito;

S. 4287. An act amending section 3 of the act approved January 12, 1923, entitled "An act to distribute the commissioned

line and engineer officers of the Coast Guard in grades, and for other purposes";

S. 4405. For the relief of Farrah Dane Richardson.

S. 4558. An act to provide a method for compensating persons who suffered property damage or personal injury due to the explosions at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926;

S. 4622. An act to authorize Capt. Walter S. Crosley and Paul P. Blackburn, United States Navy, to accept certain medals from the Republic of China;

S. 4841. An act for the relief of Samuel J. Leapheart;

S. 5415. An act for the relief of Roswell H. Bancroft;

S. 5466. An act for the relief of the Citizens' National Bank, of Petty, Tex.; and

S. 5539. An act to authorize and direct the Comptroller General to settle and allow the claims of E. A. Goldenweiser, Edith M. Furbush, and Horatio M. Pollock for services rendered to the Department of Commerce.

#### ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p. m.) the House adjourned until to-morrow, Saturday, February 26, 1927, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1014. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State for the fiscal year ending June 30, 1927, amounting to \$25,000 (H. Doc. No. 748); to the Committee on Appropriations and ordered to be printed.

1015. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State for the fiscal year ending June 30, 1927, amounting to \$15,000 (H. Doc. No. 749); to the Committee on Appropriations and ordered to be printed.

1016. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State for the fiscal year ending June 30, 1927, amounting to \$41,000; also a draft of proposed legislation affecting an existing appropriation (H. Doc. No. 750); to the Committee on Appropriations and ordered to be printed.

1017. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State for the fiscal year ending June 30, 1927, amounting to \$75,000 (H. Doc. No. 751); to the Committee on Appropriations and ordered to be printed.

1018. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Department of State for the fiscal year ending June 30, 1927, amounting to \$70,000; also a draft of proposed legislation affecting an existing appropriation (H. Doc. No. 752); to the Committee on Appropriations and ordered to be printed.

1019. A letter from the Secretary of War, transmitting letter from the Chief of Engineers in regard to preliminary examination and survey of Ohio River, Covington and Newport, Ky.; to the Committee on Rivers and Harbors.

1020. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of Peace River, Fla., from Punta Gorda to Bartow; to the Committee on Rivers and Harbors.

1021. A letter from the Secretary of the Navy, transmitting draft of a proposed bill to amend section 1 of the act approved June 10, 1922, entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and the Public Health Service"; to the Committee on Military Affairs.

1022. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of Honolulu Harbor, Kalihi Harbor, and connecting channels, Hawaii (H. Doc. No. 753); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

1023. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of Biloxi Harbor, Miss. (H. Doc. No. 754); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

1024. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of Humboldt Harbor and Bay, Calif. (H. Doc. No. 755);



to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

1025. A communication from the President of the United States, transmitting an estimate for the corporation known as the International Trade Exhibition for the fiscal year ending June 30, 1927, \$150,000 (H. Doc. No. 756); to the Committee on Appropriations and ordered to be printed.

1026. A communication from the President of the United States, transmitting an item of proposed legislation affecting existing appropriations for the fiscal years 1927 and 1928, for the Department of the Interior, Bureau of Indian Affairs, for construction work on the irrigation systems on the Flathead Indian Reservation in Montana (H. Doc. No. 757); to the Committee on Appropriations and ordered to be printed.

1027. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year ending June 30, 1928, for the War Department, for the subsistence of the Army, \$4,409,077 (H. Doc. No. 758); to the Committee on Appropriations and ordered to be printed.

1028. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the War Department for the fiscal year ending June 30, 1927, to remain available until expended, for providing barracks for one regiment of Infantry less one battalion at Fort Jay, Governors Island, N. Y. (H. Doc. No. 759); to the Committee on Appropriations and ordered to be printed.

1029. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Meade Memorial Commission for the fiscal year 1927, to remain available until June 30, 1928, to defray part of the expenses to be incurred in the dedication of the memorial to Maj. Gen. George Gordon Meade, \$2,500 (H. Doc. No. 760); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. CROWTHER: Committee on Ways and Means. S. 5339. An act to authorize the Secretary of the Treasury to enter into a lease of a suitable building for customs purposes in the city of New York; with amendment (Rept. No. 2247). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. McSWAIN: Committee on Military Affairs. S. 4682. An act granting permission to Lieut. Col. Harry N. Cootes, United States Army, to accept certain decorations tendered him; without amendment (Rept. No. 2248). Referred to the Committee of the Whole House.

Mr. WHEELER: Committee on Military Affairs. H. R. 1391. A bill for the relief of Clayton H. Adams; without amendment (Rept. No. 2249). Referred to the Committee of the Whole House.

Mr. JOHNSON of Indiana: Committee on Military Affairs. H. R. 11228. A bill to correct the military record of Andrew B. Ritter; without amendment (Rept. No. 2250). Referred to the Committee of the Whole House.

Mr. FROTHINGHAM: Committee on Military Affairs. H. R. 14737. A bill for the relief of Jeremiah F. Mahoney; without amendment (Rept. No. 2251). Referred to the Committee of the Whole House.

Mr. WHEELER: Committee on Military Affairs. H. R. 12304. A bill for the relief of Elia G. Richter; without amendment (Rept. No. 2252). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows.

By Mr. LAGUARDIA: A bill (H. R. 17329) to amend section 4426 of the Revised Statutes of the United States as amended by an act of Congress approved May 16, 1906; to the Committee on the Merchant Marine and Fisheries.

By Mr. BOYLAN: A bill (H. R. 17330) to provide adequate reimbursement to States for the cost of keeping Federal prisoners; to the Committee on the Judiciary.

By Mr. UPDIKE: A bill (H. R. 17331) to amend the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine

Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service"; to the Committee on Military Affairs.

By Mr. HASTINGS: A bill (H. R. 17332) to restrict the inheritance of Quapaw lands, money, or mineral interest to heirs of Indian blood; to the Committee on Indian Affairs.

By Mr. COOPER of Ohio: A bill (H. R. 17333) granting the consent of Congress to the city of Youngstown to construct a bridge across the Mahoning River at West Avenue, Youngstown, Mahoning County, Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. KETCHAM: A bill (H. R. 17334) to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act entitled "An act donating public lands to the several States and Territories, which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture; to the Committee on Agriculture.

#### MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the Legislature of the State of California, relating to an act of Congress of the United States restraining immigration of aliens ineligible to citizenship and a proposed act changing the right to naturalization; to the Committee on Immigration and Naturalization.

By Mr. ROY G. FITZGERALD: Memorial of the Legislature of the State of Colorado, asking that Congress redeem the pledge made to the emergency Army officers in the law of May 18, 1918, by favoring the Fitzgerald bill (H. R. 4548) for the retirement of those disabled in the World War; to the Committee on World War Veterans' Legislation.

By Mr. ENGLEBRIGHT: Memorial of the Legislature of the State of California, relating to the restraining immigration of aliens ineligible to citizenship and a proposed act changing the right to naturalization; to the Committee on Immigration and Naturalization.

By Mr. LEAVITT: Memorial of the Legislature of the State of Montana, calling attention to the need of legislative relief for agriculture; to the Committee on Agriculture.

By Mr. KERR: Memorial of the General Assembly of the State of North Carolina, praying that the electric power at Muscle Shoals in the State of Alabama be made available for general distribution to the public in North Carolina and other States, under appropriate regulations by the States, and that no lease or grant to a private operator or operators be made which will circumvent the rights of the said States to regulate the distribution of said power; to the Committee on Military Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDRESEN: A bill (H. R. 17335) granting a pension to Agnes Hall; to the Committee on Pensions.

By Mr. HOGG: A bill (H. R. 17336) granting an increase of pension to Nancy L. Bell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17337) granting an increase of pension to Magdalene Hartman; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 17338) granting an increase of pension to Lucinda Hainley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17339) granting an increase of pension to Clara A. Smyers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17340) granting an increase of pension to Elizabeth Hausman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17341) granting a pension to George M. Fischer; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 17342) for the relief of Frederick Arthur Laura; to the Committee on Claims.

By Mr. MAPES: A bill (H. R. 17343) granting an increase of pension to Lura E. Vining; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 17344) granting an increase of pension to Genevieve Foreman; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 17345) granting a pension to Altha Denham; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 17346) granting an increase of pension to Rosella Paukett; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7436. By Mr. BARKLEY: Petition of numerous citizens of Olive Hill and Morehead, Ky., opposing House bill 7179; to the Committee on the District of Columbia.

7437. By Mr. CHALMERS: Petition against compulsory Sunday observance, signed by about 25 constituents of Ohio Harbor, Ohio; to the Committee on the District of Columbia.

7438. By Mr. COOPER of Ohio: Petition of Miss Alice G. Crays and other citizens of Youngstown, Ohio, urging increases in pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7439. Also, Petition of Mrs. Dallas Mayer and other residents of Youngstown, Ohio, urging increases in pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7440. By Mr. COYLE: Petition of Mr. Harry Stiles and 40 other citizens of Easton, Coaldale, and Bangor, Pa., urging that steps be taken to enact a Civil War pension bill affording relief to needy and suffering veterans and widows of veterans; to the Committee on Invalid Pensions.

7441. Also, petition of Mr. Noah Dietrich and 59 other citizens of Easton, Pa., urging that immediate steps be taken to enact a Civil War pension bill affording relief to needy and suffering veterans and widows of veterans; to the Committee on Invalid Pensions.

7442. Also, petition of James G. Jones and 78 other citizens of Lansford, Nesquehoning, Summit Hill, and Coaldale, Pa., urging that immediate steps be taken to enact a Civil War pension bill affording relief to needy and suffering veterans and widows of veterans; to the Committee on Invalid Pensions.

7443. By Mr. ENGLEBRIGHT: Pension of citizens of Rescue, Calif., protesting against compulsory Sunday observance bill (H. R. 10311); to the Committee on the District of Columbia.

7444. Also, petition of citizens of Susanville, Calif., protesting against passage of House bill 10311 providing for compulsory Sunday observance; to the Committee on the District of Columbia.

7445. By Mr. W. T. FITZGERALD: Memorial of C. E. Balthaser and other farmers of Spencerville and Kossuth, Allen County, Ohio, advocating construction of a ship canal to admit ocean-going carriers to the Great Lakes and the employment of local farmers in combating the European corn borer; to the Committee on Agriculture.

7446. By Mr. ROY G. FITZGERALD: Petition of Los Angeles Municipal Engineers' Association, urging that immediate vote be had on the Fitzgerald bill (H. R. 4548) for the retirement of disabled emergency Army officers of the World War and thereby correct unjust discrimination; to the Committee on World War Veterans' Legislation.

7447. Also, memorial of national chairman of legislation committee of the American Legion, Scott W. Lucas, asking that elemental justice be done to those trampled upon by passage of House bill 4548, for retirement of disabled emergency Army officers of World War; to the Committee on World War Veterans' Legislation.

7448. By Mr. GALLIVAN: Petition of Boston Central Labor Union, P. H. Jennings, secretary-business representative, 987 Washington Street, Boston, Mass., protesting against House bill 8997, regarding Cuban parcel-post regulations on cigars; to the Committee on Ways and Means.

7449. By Mr. GARBER: Petition of the National Woman's Christian Temperance Union, endorsing the medicinal spirits bill; to the Committee on Ways and Means.

7450. By Mr. HALE: Petition of 19 residents of New Hampton, N. H., requesting the passage of legislation in favor of Civil War veterans and widows of veterans at this session; to the Committee on Invalid Pensions.

7451. Also, petition of 135 residents of East Rochester, N. H., urging the enactment of legislation in favor of Civil War veterans and widows of veterans at this session; to the Committee on Invalid Pensions.

7452. By Mr. HALL of North Dakota: Petition of 47 residents of Jamestown, N. Dak., protesting against the passage by Congress of any religious legislation which may be pending; to the Committee on the District of Columbia.

7453. Also, petition of 12 residents of Carrington, N. Dak., protesting against the passage by Congress of any religious legislation which may be pending; to the Committee on the District of Columbia.

7454. Also, petition of 30 residents of Goodrich, N. Dak., protesting against the passage by Congress of any religious legislation which may be pending; to the Committee on the District of Columbia.

7455. Also, petition of 241 members of John F. Reynolds Woman's Relief Corps and citizens of Fargo, N. Dak., recommending the enactment by Congress of additional legislation for the benefit of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

7456. Also, petition of Mrs. Fannie A. Valke and 92 other members of the Abraham Lincoln Relief Corps and citizens of Minot, N. Dak., recommending the enactment by Congress of additional legislation for the benefit of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

7457. Also, petition of 128 citizens of Valley City, N. Dak., recommending the enactment by Congress of additional legislation for the benefit of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

7458. Also, petition of 54 residents of St. John and Devils Lake, N. Dak., recommending the enactment by Congress of additional legislation for the benefit of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

7459. Also, petition of 53 citizens of Wolford, N. Dak., recommending the enactment by Congress of additional legislation for the benefit of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

7460. By Mr. HILL of Washington: Petition of T. W. Greve and 26 others, of Merritt, Wash., urging immediate legislation to increase pensions of civil war veterans and widows of veterans; to the Committee on Invalid Pensions.

7461. Also, petition of Clem Bruner and 31 others, of Rockford and Spokane, Wash., urging immediate legislation to increase pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7462. Also, petition of Mrs. Richard Mus and 11 others, of Leavenworth, Wash., urging immediate legislation to increase pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7463. Also, petition of Mrs. E. I. Crain and 70 others, of Spokane, Wash., urging immediate legislation to increase pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7464. Also, petition of Frank Jones and 12 others, of Spokane, Wash., urging immediate legislation to increase pensions of civil war veterans and widows of veterans; to the Committee on Invalid Pensions.

7465. By Mr. KELLER: Petition of citizens of Minnesota, protesting against the enactment of the Lankford Sunday closing bill; to the Committee on the District of Columbia.

7466. Also, petition of patients of United States Veterans' Bureau Hospital No. 65, urging action upon the legislative program of the disabled American veterans of the World War before adjournment; to the Committee on World War Veterans' Legislation.

7467. By Mr. KOPP: Petition signed by Mr. Allan Philip and many other residents of Lee County and vicinity, urging increased pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7468. Also, petition signed by C. E. Turner and many other residents of Washington County and vicinity, urging increased pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7469. Also, petition signed by Rebecca J. Messer and many other residents of Henry County, Iowa, and vicinity, urging increased pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7470. Also, petition signed by Mary R. Maddix and 21 other residents of Libertyville, Iowa, and vicinity, urging increased pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7471. Also, petition signed by Mrs. Elizabeth McMurray and many other citizens of Lee County, urging the defeat of any measure tending to modify the immigration act; to the Committee on Immigration and Naturalization.

7472. Also, petition signed by Augusta L. Cozler and 135 other residents of Mount Pleasant, Iowa, and vicinity, urging increased pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7473. By Mr. KURTZ: Petition from citizens of Tyrone, Pa., urging immediate action on Civil War pension legislation; to the Committee on Invalid Pensions.

7474. By Mr. LEAVITT: Petition of citizens of Broadview and Billings, Mont., protesting against enactment of compulsory Sunday bills; to the Committee on the District of Columbia.

7475. By Mr. LINTHICUM: Petition of C. S. Longacre of Religious Liberty Association, Takoma Park, Washington, D. C., filing petition from Baltimore constituents protesting against



compulsory Sunday bills; to the Committee on the District of Columbia.

7476. By Mr. McLAUGHLIN of Nebraska: Petition by the adult citizens of Seward, Nebr., not to pass Sunday observance bill; to the Committee on the District of Columbia.

7477. By Mr. MANLOVE: Petition of J. E. Spencer, Charlotte Robinson, J. J. Wis, Arthur Hill, and 53 other residents of Jasper County, urging Congress not to pass the Sunday bill; to the Committee on the District of Columbia.

7478. By Mr. MARTIN of Massachusetts: Petition of sundry citizens of Taunton, Mass., advocating increased pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7479. By Mr. NELSON of Wisconsin: Petition of Mr. W. A. Devine and others, of Madison, Wis., praying the passage of remedial pension relief measures for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7480. By Mr. O'CONNELL of New York: Petition of the Chamber of Commerce of the United States, favoring the passage of House bill 8997, parcel post with Cuba; to the Committee on Ways and Means.

7481. By Mr. PRATT: Petition of citizens of Columbia County, N. Y., urging legislation to increase the pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7482. By Mr. ROMJUE: Petition of George E. Thompson et al., of Revere, Mo., urging favorable consideration of pension legislation of Civil War veterans; to the Committee on Invalid Pensions.

7483. By Mr. SPEARING: Petition of various and numerous constituents, against the passage of House bill 10311, relating to observance of Sunday; to the Committee on the District of Columbia.

7484. By Mr. STRONG of Pennsylvania: Petition of the First U. P. Sabbath School of Indiana, Pa., in favor of the Sunday rest bill for the District of Columbia (H. R. 10311); to the Committee on the District of Columbia.

7485. By Mr. SWING: Petition of certain residents of San Diego, Calif., and vicinity, protesting against the passage by Congress of House bill 10311, or any other religious measures which may be introduced; to the Committee on the District of Columbia.

7486. By Mr. TAYLOR of New Jersey: Petition from sundry citizens of Newark and Jersey City, protesting against the compulsory Sunday observance bills now pending before the House District Committee; to the Committee on the District of Columbia.

7487. By Mr. VINSON of Kentucky: Petition signed by numerous residents of Carter (ninth congressional district), Maysville and Lawrence Counties, Ky., urging the passage, before adjournment of Congress, of a bill for the relief of needy and suffering veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

## SENATE

SATURDAY, February 26, 1927

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Lord our God, though Thou inhabiteth eternity and art the high and holy One, yet Thou art permitting us in an humble way to approach the throne of Thy heavenly grace. We thank Thee for every mercy given unto us. We thank Thee for the opportunities of service for the good of others and for Thy glory. Enable us thus to understand our various duties and fulfill Thy good pleasure. We ask in Christ's name. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed a bill (H. R. 3283) for the relief of William Bardel, in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED

The message also further announced that the Speaker had affixed his signature to the following enrolled bills, and they were thereupon signed by the Vice President:

- S. 95. An act for the relief of Carlos Tompkins;
- S. 190. An act for the relief of Samuel S. Archer;
- S. 467. An act for the relief of Joseph B. Tanner;
- S. 521. An act for the relief of August Michalchuk;

- S. 1261. An act for the relief of William H. Grayson;
- S. 1413. An act for the relief of Eustacio B. Davison;
- S. 1641. An act for the relief of Mary H. Dougherty;
- S. 1787. An act for the return of \$5,000 to the New Amsterdam Casualty Co.;

S. 1859. An act for the relief of Patrick C. Wilkes, alias Clebourn P. Wilkes;

S. 2094. An act for the relief of C. P. Dryden;

S. 2139. An act for the relief of William W. Green, warrant officer, United States Army;

S. 2242. An act for the relief of Mark J. White;

S. 2700. An act to amend the naval record of Frank H. Wilson, alias Henry Wencil;

S. 2722. An act for the relief of the Muscle Shoals, Birmingham & Pensacola Railroad Co., the successor in interest of the receiver of the Gulf, Florida & Alabama Railway Co.;

S. 3110. An act to authorize certain officers of the United States Navy to accept from the Republic of Haiti the medal of honor and merit;

S. 3464. An act authorizing certain officers of the United States Navy to accept from the Republic of Chile the order Al Mérito;

S. 4287. An act amending section 3 of the act approved January 12, 1923, entitled "An act to distribute the commissioned line and engineer officers of the Coast Guard in grades, and for other purposes";

S. 4405. An act for the relief of Farrah Dane Richardson;

S. 4558. An act to provide a method for compensating persons who suffered property damage or personal injury due to the explosions at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926;

S. 4622. An act to authorize Capt. Walter S. Crosley and Paul P. Blackburn, United States Navy, to accept certain medals from the Republic of China;

S. 4841. An act for the relief of Samuel J. Leaphart;

S. 5415. An act for the relief of Roswell H. Bancroft;

S. 5466. An act for the relief of the Citizens' National Bank, of Petty, Tex.;

S. 5539. An act to authorize and direct the Comptroller General to settle and allow the claims of E. A. Goldenweiser, Edith M. Furbush, and Horatio M. Pollock for services rendered to the Department of Commerce;

H. R. 14831. An act to amend section 107 of the Judicial Code;

H. R. 15822. An act authorizing the county of Escambia, Florida, and/or the county of Baldwin, Ala., and/or the State of Florida, and/or the State of Alabama to acquire all the rights and privileges granted to the Perdido Bay Bridge & Ferry Co. by chapter 168, approved June 22, 1916, for the construction of a bridge across Perdido Bay from Lillian, Ala., to Cummings Point, Fla.;

H. R. 16024. An act to amend the act entitled "An act granting the consent of Congress to the Yell and Pope County bridge district, Dardanelle and Russellville, Ark., to construct, maintain, and operate a bridge across the Arkansas River, at or near the city of Dardanelle, Yell County, Ark.," approved March 3, 1925, and to extend the time for the construction of the bridge authorized thereby;

H. R. 16104. An act to amend the act entitled "An act granting the consent of Congress to the county of Barry, State of Missouri, to construct a bridge across the White River," approved March 31, 1926;

H. R. 16105. An act to amend the act entitled "An act granting the consent of Congress to the county of Barry, State of Missouri, to construct a bridge across the White River," approved March 31, 1926;

H. R. 16116. An act granting the consent of Congress to the Henderson Bridge Co., its successors and assigns, to construct, purchase or lease, maintain, and operate a bridge across the Kanawha River at or near the town of Henderson, W. Va., to a point opposite thereto in or near the city of Point Pleasant, W. Va.;

H. R. 16462. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1927, and prior fiscal years, and to provide urgent supplemental appropriations for the fiscal year ending June 30, 1927, and for other purposes;

H. R. 16165. An act granting the consent of Congress to the commissioners of the county of Cook, State of Illinois, to reconstruct the bridge across the Grand Calumet River at Burnham Avenue in said county and State;

H. R. 16649. An act to extend the time for construction of a bridge across the Susquehanna River, in Northumberland and Snyder Counties, State of Pennsylvania;

H. R. 16773. An act to amend an act entitled "An act authorizing the construction of a bridge across the Ohio River between